



Migration Intermediation and Ethical Boundary Work: the Case of Italy's Legal-Administrative Field

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Abstract

This article examines the role of intermediaries in Italy's legal-administrative migration field, focusing on how they navigate ethical dilemmas within a complex and bureaucratic migration regime. Drawing on 27 qualitative interviews with intermediaries handling visa and residence permit procedures, the study highlights the diverse landscape of actors—including profit-driven, solidarity-based, and rights-oriented intermediaries—who operate at the intersection of legal assistance, advocacy, and business. The analysis explores four key ethical dimensions shaping their work: responses to manipulated documentation, the filtering of applications based on perceived deservingness, decisions regarding service fees, and relationships with governmental authorities. The concept of ethical boundary work is used to illustrate how these intermediaries establish moral and professional distinctions, reinforcing or challenging institutional norms. Findings reveal that intermediaries both enable and constrain migrants' access to legal status, sometimes subverting restrictive policies while also reinforcing inequalities through selective practices. By shedding light on the tensions between solidarity and profit, empowerment and exploitation, the article contributes to broader discussions on migration governance, informal economies, and the moral complexities of legal-administrative intermediation. The study suggests policy measures to enhance transparency, regulate intermediation, and ensure migrants' access to fair and reliable legal assistance.

Keywords Legal-administrative intermediation · Non-state actors · Ethical choices · Boundary work · Migration · Italy

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Introduction: The Rising Demand for Legal-Administrative Intermediation in Migration

Intermediation, in its broader sense, refers to the process through which access to resources, including public goods and services, is facilitated or obstructed by third parties (Lindquist, 2015). The concept of intermediaries in migration emerged in the 1970s, highlighting the role of networks and informal solidarity connections – often familial (Bonizzoni & Fresnoza-Flot, 2023) or community-based – that assist migrants in their journeys and settlement (Faist, 2021; Goss & Lindquist, 1995; Massey, 1990). Migration studies have extensively examined the impact of intermediation on migration flows, particularly in relation to networks, migration industries, and transnational brokerage (Ambrosini, 2017). While political and media narratives frequently reduce intermediaries to smugglers or traffickers, civil society organizations also play a significant role. The increasing criminalization of those providing aid to migrants underscores the legally and ethically ambiguous space in which intermediaries operate, particularly those working outside formal state mandates.

Legal-administrative intermediation has received increasing scholars' attention in recent years (Alpes, 2017; Barbero, 2020; Berg & Tamagno, 2013; Cogua-Lopez, 2012; Galli, 2020; Infantino, 2023; Miaz et al., 2021; Tuckett, 2018; Yu, 2023). The privatization and outsourcing of key government tasks, combined with increasingly strict, selective and bureaucratized migration policies in receiving countries, have driven the expansion of intermediaries' activities both across and within national borders. Intermediaries in this field offer guidance and advice on completing paperwork related to various types of entry visa and residence permits, assist with legal status changes, facilitate family reunification and naturalization processes, and handle legal appeals against decisions to revoke or deny residence permits, while also engaging in informal negotiations with public authorities regarding specific individual cases they oversee (Bonizzoni & Odasso, 2024).

Research on legal-administrative intermediaries in destination countries has predominantly examined the role of non-profit actors, such as different kinds of civil society organizations, volunteers and activists (Bonizzoni & Hajer, 2023a, 2023b), but also social and co-ethnic networks (Odasso & Geoffrion, 2023; Tuckett, 2018), and professionals (especially lawyers) (Barbero, 2020; Yu, 2023). In contrast, fewer studies have focused on commercial private actors profiting from visa and residency procedures (Bonizzoni et al., 2024; Montagna et al., 2024; Nehring & Hu, 2021). In this article, we explore the role of both profit and non-profit actors in Italy, contextualizing the demand for legal-administrative intermediation in the light of how the country regulates the stay and entry of foreign citizens, paying specific attention to the procedures related to the recruitment of a foreign workforce.

The role of intermediaries should be understood in light of how migration regimes produce institutionalized irregularity (Calavita, 2005) and legal precarity (Bonizzoni & Dotsey, 2021; Schuster, 2005; Tuckett, 2015) through a wide

and complex array of temporary and contingent residence permits. To obtain and maintain their legal status, migrants must complete extensive paperwork, providing proof of various aspects of their lives – such as employment status, income, housing, or family ties – that justify the legitimacy of their presence. This requires them to be more or less frequently and laboriously engaged in the *work of legal status* (Goldring, 2022), investing money, time, and other resources to navigate the conditionalities imposed by immigration policies. In this context, complex, selective, uncertain, and opaque regulations, combined with discretionary decision-making in admission and residency processes, significantly increase their reliance on legal-administrative intermediaries (Tuckett, 2018).

Especially relevant for this article is how Italy regulates its need for a foreign workforce, alternating between phases of openness and closure through back and front doors (Pastore, 2014). The country periodically regularizes undocumented foreigners informally employed through mass amnesties, while cyclically recruiting new workers from abroad via the so-called “decreto flussi” (yearly quota decree). This represents an unpredictable and temporary (albeit limited and selective) window of opportunity in a framework characterized by substantial closure, thus prompting the interest of a diverse group of actors (including migrants, employers and intermediaries) seeking specific opportunities and advantages. The implementation of these policies creates strong demand for legal-administrative intermediation services within highly concentrated timeframes, significantly influencing the characteristics and dynamics of the intermediation field (Barman, 2016; Bourdieu & Wacquant, 1992; Fligstein, 2013). Here, different kinds of actor mediate the relationships between migrants, employers and the Italian documentation regime, acting upon different, and sometimes contradictory and conflicting logics (Dimitriadis & Ambrosini, 2024) to navigate a complex network of interdependence, cooperation and contention with governmental authorities. Some pursue profit, others adhere to solidarity-based principles, while yet others deliver services as a matter of social rights, acting on behalf of the welfare state.

Focusing on the role intermediaries play in procedures related to the release of (especially work-related) residence permits and visas in Italy, the article shows how intermediaries in the legal-administrative field face ethical choices in their actions leading to the emergence of specific demarcations and boundaries. When deciding how to deal with manipulated evidence and documentation, whether to exercise control by filtering specific applications, whether to charge fees (and for which services), and on the nature of relationships to establish with governmental actors, intermediaries are engaged in a process of ethical boundary work (Fournier, 2000; Gieryn, 1983; Van Bochove et al., 2018) that is influenced by, and simultaneously contributes to shaping a field cross cut by diverse and divergent values and approaches.

Legal-Administrative Intermediation as an Emerging Segment of the Migration Industry

Research on the migration industry has revealed the role of a diverse array of private commercial actors, encompassing recruitment agencies, multinational corporations, individual brokers, transporters and travel agencies, among others, that

play an influential role in shaping and facilitating migration trajectories (Clochard et al., 2023; Cranston et al., 2018; Gammeltoft-Hansen & Nyberg Sørensen, 2013; Jones & Sha, 2020; Lin et al., 2017; Lindquist et al., 2012; Salt & Stein, 1997; Spaan & Hillmann, 2013; Spener, 2009).

A specific sub-segment of the migration industry focuses on providing information, goods and services to assist migrants in navigating external and internal border regimes (Bonizzoni, 2020; Bonizzoni & Dimitriadis, 2024; Fauser, 2024), particularly as regards visa regulations (Alpes, 2017; Infantino, 2023; Nehring & Hu, 2021; Thibault, 2024; Tuckett, 2018). In both transit and departure contexts, scholars have observed the proliferation of commercial private agencies and actors (alternatively referred to as “document brokers”, “document fixers” or “local guides”), who assist migrants in providing legitimizing documents and evidence for admission to receiving states, taking advantage of restrictive and often unclear and uncertain regulatory frameworks (Alpes, 2017; Berg & Tamagno, 2013; Cogua-Lopez, 2012; Infantino, 2023; Zampagni, 2016). They collect, disseminate and strategically translate information about the rules to follow, fill in applications, arrange appointments, prepare applicants for interviews with government officials, and procure proofs such as marriage or birth certificates, property ownership certificates, employment contracts, bank statements, passports and diplomas.

Less explored is the role of for-profit intermediaries in navigating the *documentation regime* (Tuckett, 2018) in destination countries – that is, the complex set of legal requirements, bureaucratic procedures and relative documentation that migrants must learn to navigate to obtain and maintain legal status or improve their legal standing (for instance, through naturalization procedures; Trucco, 2024). Nehring and Hu (2021), for instance, have underlined that in the UK, a process of *state-market hybridized commercialization* within the visa and residence permit system has spurred the growth of private immigration advisers and service providers, replacing functions previously handled by public services. While this creates inequalities among applicants by stratifying individuals’ right to family life along socioeconomic lines, the authors also observed that, to sell their services, private actors “capitalize on uncertainty surrounding the success of family visa applications as a direct result of tightening immigration rules” (Nehring & Hu, 2021, p. 17). In Italy, scholars have also observed the role played by *self-styled immigration ‘experts’* who act as documentation community brokers in a more informal and individualized fashion (Oubad, 2024; Tuckett, 2018). More recently, however, studies have noted the emergence of a more structured, formalized and professionalized migration industry that takes special advantage of temporary windows of opportunity, such as those presented by amnesties or the “decreto flussi”. This trend has shown problematic aspects, leading to instances in which migrants are deceived, defrauded and exploited (Bonizzoni et al., 2024; De Blasis & Bonizzoni, 2024). Nevertheless, the specific dynamics occurring within this field arise, as we discuss in this paper, from the coexistence of various types of actor and logics, among which civil society actors (CSAs) also play an important role.

Civil Society Actors in the Legal-Administrative Intermediation Field: Between Governance, Solidarity and Advocacy

CSAs encompass both formal and informal social institutions that occupy the space between the state, the economy, and the private sphere.

Quite often, CSAs meet the needs of migrants that are left unresolved by governmental actors. This is well exemplified by the case of CSAs supporting undocumented migrants and by the pervasive role they have played in assisting (rejected) refugees, (potential) asylum seekers and migrants in transit during the so-called *Summer of Welcome* (Amigoni & Queirolo Palmas, 2023; Fontanari & Ambrosini, 2018). Their intervention, however, extends well beyond the fields of welfare and asylum seekers' reception, as exemplified by the (contested) role of CSAs in search and rescue (SAR) activities. CSAs frequently participate in delivering public goods through public–private partnerships, thus blurring the lines between state and non-state actors due to outsourcing. The type of CSAs engaged in providing assistance and support to migrants is, in this respect, extremely diverse – ranging from humanitarian NGOs to churches, from informal solidarity groups to professionalized third-sector actors, from social movements to labour unions – as is their relationship with governmental actors. This diversity in terms of types of actor, functions and degrees of politicization and professionalization (see, for instance, Bellè & Gargiulo, 2024) is reflected in the (limited) number of studies examining their role in legal-administrative intermediation.

Research in this field has tended to focus on (both ethnic and non-ethnic) solidarity networks (Oubad, 2024) and self-help groups, including those providing free online support (Longo, 2022; Odasso & Geoffrion, 2023), but also on professionalized non-profit actors, which sometimes work under public mandates (Bonizzoni & Hajer, 2023a), up to pro-bono lawyers and legal aid organizations (Galli, 2020; Trucco, 2023; Yu, 2023). Activists and grassroots CSAs wield significant influence in the field of legal-administrative intermediation (Bonizzoni & Hajer, 2023b; Odasso & Salcedo Robledo, 2022). They may engage in case-based advocacy, representing the interests of individuals, families or organizations to decision-makers; alternatively, they may participate in more institutionalized settings, such as planning or advisory groups. Leveraging their expertise, they advocate for or against specific laws or policy reforms, disseminate data or research reports, and participate in media debates or public protests on contentious issues. In some cases, CSAs employ civil disobedience to challenge or undermine policies they perceive as unjust.

It might turn difficult to draw clear distinctions between formal and informal, public and private, non-profit and for-profit actors – and even between legal and illegal practices – in this field. In Italy, for instance, the so-called *patronati*¹ – non-profit organizations stemming from workers' and employers' associations – have long supported migrants in navigating immigration bureaucracy (Tuckett, 2018). They are accredited by the state and reimbursed for some services; for others, they

¹ These *patronati* are traditionally run by large trade unions (e.g. INCA affiliated with the CGIL trade union). In recent years, *patronati* affiliated with smaller trade unions have also become widespread.

typically charge clients a membership fee, operating as quasi-market actors. Certain professionals, such as lawyers, may opt to work pro bono (Barbero, 2020; Galli, 2020) even though they may prioritize cases deemed likely to succeed, favouring clients perceived as deserving and avoiding cases requiring excessive time or resources (Yu, 2023). Even when they receive compensation for their legal services, whether public or private, aimed at generating profit, they frequently serve as public defenders motivated by personal and political convictions (Barbero, 2020). Legal-administrative intermediaries, as street-level bureaucrats, exercise discretionary power, occasionally bending or breaking rules in handling specific cases (Borrelli et al., 2023; Evans, 2015; Lipsky, 1980). In Italy, apart from strictly legal services provided by lawyers, loose governmental regulation leaves ample room for paralegal services that do not require specific accreditation or training, nor clearly defined fees. As a result, the level of expertise among these actors varies greatly, as does the cost of services and the motivations driving them to operate in this field.

Ethical Boundary Work in a Varied, Ambiguous and Loosely Regulated Field

Actors in the field of migrant support often face difficult ethical dilemmas (Bauböck et al., 2022) regarding whom to collaborate with or oppose, which strategies to adopt, which goals to pursue, and which values to uphold. Dilemmas emerge when they must choose between mutually exclusive actions based on competing moral values that are hard to prioritize. Actors must carefully reflect on how to fulfill their roles in line with their values and principles, while also considering the consequences of others' actions, a complexity that intensifies when supporting undocumented migrants or individuals in extreme vulnerability and distress.

Mann and Mourão Permoser (2022) highlight the ethical dilemmas faced by NGOs involved in search-and-rescue (SAR) activities, as they engage with both governmental (national and European) authorities and non-state actors, including trafficking and smuggling networks. On the one hand, this creates the risk of inadvertently aiding traffickers; on the other, it may lead to complicity with repressive state institutions. The contentious relationship between NGOs and government actors also raises ethical issues (Cusumano & Villa, 2021), especially evident in 2017 when many NGOs in Italy refused to sign the SAR code of conduct, perceiving it as an attempt to impose undue control over their operations. Providing support to migrants can create ethical conflicts between humanitarianism (alleviating suffering) and equity (ensuring formal rights), as demonstrated by Piccoli and Perna (2024) in their study of community-supported associations (CSAs) offering healthcare to irregular migrants in Italy. While accessing public medical services beyond emergency care is often difficult, CSAs that fill these gaps risk creating parallel institutions that replace, rather than complement, public services. Over time, this can undermine public institutions, which may exploit CSAs as a low-cost solution for unmet or politically sensitive social needs (Busso & De Luigi, 2019).

The characteristics of the Italian legal-administrative intermediation field – its loose regulation, the diversity of actors involved (in terms of skills, identities, logics, and values), and the blurred boundaries between licit and illicit practices – create

multiple moral alternatives for determining which actions to pursue or avoid. The concept of *field* (Barman, 2016; Bourdieu & Wacquant, 1992; Fligstein, 2013) is used here to describe a "network, or configuration" (Bourdieu & Wacquant, 1992, p. 97) of actors who share a defined social space of activity. Each actor operates within this space based on their position, relationships with others, and available resources. However, this field lacks clear rules or a shared habitus. Instead, it consists of diverse actors guided by different ethics, values, and logics while addressing similar tasks and responding to comparable needs.

Intermediaries in this field often face the choice of whether to help migrants navigate regulatory loopholes and overcome structural barriers within the legal-administrative system (Dimitriadis, 2018; Tuckett, 2018), sometimes even through illicit means. While some see this role as a political response to migrants' precariousness and vulnerability in an unpredictable system, others exploit these challenges as market opportunities, engaging in speculation, deception, and fraud (Bonizzoni et al., 2024; De Blasis & Bonizzoni, 2024).

Ethical choices play a crucial role in shaping distinctions and identity boundaries among actors in this field. Different actors approach the same problems through distinct ethical frameworks, reinforcing and reproducing these identity boundaries through their practices – engaging in what is known as *ethical boundary work*.

The concept of *boundary work* has been widely used to examine distinctions between experts and non-experts (Gieryn, 1983), different professional roles (Fournier, 2000), and volunteers versus professionals in fields such as welfare and service provision (Van Bochove et al., 2018). It highlights how social roles are continuously redefined through the ongoing demarcation of knowledge, routines, and procedures. A role's ethical dimension often emerges in contrast to the perceived unethical behavior of others. In other words, the way others perform similar activities influences moral reflexivity, positioning one's conduct in opposition to – and potentially in conflict with – others. Ethical boundary work, therefore, is the process through which actors define and sustain identity divisions by applying different ethical lenses to shared challenges. These boundaries are reinforced through everyday practices and interactions, continuously shaping what is considered morally acceptable within a given context. Different interpretations of the moral aspects of one's conduct – whether grounded in a professional ethic or a militancy ethic – shape how ethical boundaries are drawn. This, in turn, generates moral, symbolic, and value-based divisions within a field marked by diverse and often conflicting methods, logics, and approaches. While these moral frictions and demarcations are influenced by the field's characteristics, they also serve as opportunities to redefine and reaffirm ethical diversity within the field itself.

Methods of Data Collection and Analysis

This article is based on the qualitative data collected within the framework of two different research projects carried out from September 2020 to March 2024, investigating, through the collection of 66 qualitative, semi-structured interviews with migrants, employers, intermediaries and governmental actors, the implementation

of two different labour migration policies in Italy: the employment-based mass amnesty of 2020 and so-called “*decreto flussi*”, the system regulating the entry of workers from abroad through annual quotas.

The legal-administrative intermediation field in Italy is composed of different actors that can be broadly categorized as follows.

1. Informal (ethnic and non-ethnic) networks and self-help groups, including on social media (e.g. Facebook/Instagram/TikTok groups).
2. Non-profit formalized actors: these range from volunteering associations to professionalized third sector actors, including *patronati*, trade unions and employers’ associations. Some of these are managing services subcontracted by local institutions and may include law professionals and consultants offering their services pro bono.
3. For-profit formalized actors: these range from paralegal services offered by private agencies to legal, paralegal and other professionals.

While we have explored the role of social networks and Facebook pages elsewhere (De Blasis & Bonizzoni, 2024), this paper focuses on more formalized actors providing services to employers and migrants for regularization applications or work-related admission procedures. To do so, it draws on a sub-sample of 27 qualitative, semi-structured interviews with representatives from various types of actors, including 19 non-profit and 8 for-profit organizations. More specifically, 9 interviews were carried out with representatives of volunteering associations, 10 with paid staff of professionalized third-sector entities (7 of which were *patronati*), and 4 with personnel employed in commercial private agencies run by individuals of foreign origin, and 4 with immigration lawyers. These intermediaries primarily operate in Milan and, to a lesser extent, Bologna. The interviews were conducted partly online and partly in person, varying in length from 30 min to 1.5 h. The interviews were recorded, integrally transcribed and analysed through thematic coding using the open-source software Taguette (Fig. 1).

The thematic coding revealed four main dimensions giving rise to ethical boundary work. The first pertains to how intermediaries address the pervasive illicit and manipulative practices employed by migrants and other relevant actors to exploit opportunities within Italian (labour) migration policies. The second concerns the implications of inherently selective bureaucratic-administrative procedures and

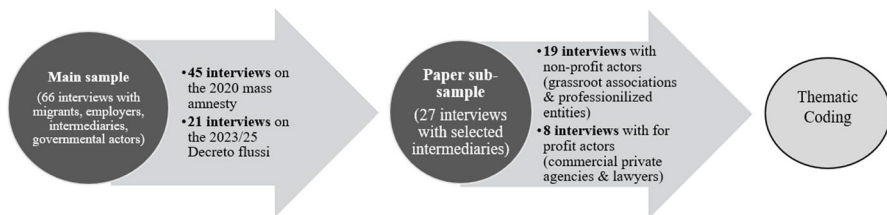


Fig. 1 Summary of research procedures

refers to the filtering and selection methods that different intermediaries might (not) choose to adopt. The third centres on how and whether to charge fees in a way that could be considered ethically correct, and for what kind of services and goods. The fourth focuses on ethical demarcations concerning relations with governmental actors, shedding light on different approaches and positionings in relation to cooperation with institutions handling residence permit procedures.

Dealing with Illicit Practices and Strategic Manipulations

The first dimension raising significant ethical issues in the everyday work of legal-administrative intermediaries concerns how to deal with the pervasive evidence of illicit practices and manipulations that migrants and other actors might engage with to carve out room to manoeuvre within a restrictive migration regime. Legal-administrative intermediaries frequently assess the existence of false or fictitious documentation (e.g. work contracts, income and housing statements, marriage certificates) that reveal, in some cases, the existence of lucrative illicit markets and mechanisms of deception and fraud to the detriment of migrants. More interestingly, some intermediaries are actively engaged in producing proofs in ways that are considered more or less ethical, depending on how one's positioning and values inform specific forms of commitment. These processes are especially visible in the context of the repeatedly issued mass amnesties (Bonizzoni et al., 2024), but also within the framework of procedures for admitting foreign workers through the "decreto flussi". In the first case, the urgency of proving the possession of specific requirements (e.g. a job contract in a particular sector or having suitable living conditions) within a limited timeframe, without knowing if or when another opportunity for regularization might ever open up in the future, creates conditions for a thriving market of intermediation aimed at providing access to proofs for those who may lack them. In the case of the "decreto flussi", an additional complication arises in that those interested in it are not only (as envisaged by the procedure) employers interested in hiring workers from abroad, but also migrants (improperly) using the system as a disguised amnesty (De Blasis & Bonizzoni, 2024).

Faced with these dynamics, various types of position emerge among intermediaries regarding how it is considered right to behave that also reveal the specific identities of (and processes of distinction between) those who occupy this field. A first position that emerges among actors who carry out their work from an activist perspective (mostly associations, some trade unionists, but also some lawyers, as a quote below clearly shows) is one that considers it ethically correct to transgress unjust and irrationally restrictive rules, not to filter and not to report illicit practices. The underlying assumption is that the regulatory framework on migration is considered unjust, irrational or senseless for making absurd, illogical and fundamentally impossible-to-meet demands.

The truth is that these people are already in Italy: they were working off the books and they are now being hired "from abroad". But tell me: why should I ever bring someone from abroad, someone I have never seen before, and

put them in my home to take care of my family? (Professionalized third-sector actor – employers' organization #1)

I happened to know an employer who owned a print shop. He asked me about the amnesty for one of his employees, and I said that there was absolutely no chance for the type of activity he was engaged in. However, he surprised me by saying, "But no, Lawyer, I will hire him as a domestic worker!" And so, he did. I have to tell you the truth, I've always viewed such situations positively... I mean, we're talking about a worker who had already been employed for many years! If he was doing this for profit, then it would be questionable. But if the employer suggests, "Look, come to my house to do housework, and then you'll be hired in the print shop again," where is the problem? It is simply a mutually agreed-upon change of job, with taxes paid to the state. (Pro-bono lawyer #1)

Let's take the case of rejected asylum seekers. They have been working for years for an employer who has invested in them... You must find a way to bypass a rule that is completely irrational, so you need to pretend to hire them as domestic workers, just to re-hire them at the *pizzeria* once the procedure is over. (Professionalized third-sector actor – *patronato* #1)

This position is reflected in the arguments that the first interviewee provided about the strategic use of the immigration decree for migrants already present in Italy and the suggestion that it is completely unreasonable to believe that someone would hire a domestic worker who resides in another country and whom they have never seen or met. The interviewee does not problematize in any way the fact that the people interested in the procedure at their offices are individuals who should not even be in Italy. The other two interviewees also refer to a phenomenon observed during the last amnesty that excluded the possibility of regularizing people hired outside a limited number of sectors – namely, the strategic or fictitious hiring of one's own employee in the domestic sector, aimed solely at taking advantage of this opportunity. Thus, what is problematized is not the strategic or fictitious hiring itself insofar as its aims in the long term, is to bring the employment relationship back within a framework of legality (even from a tax and social security perspective).

Similarly, for those actors who approach their intermediation practices with a more activism-oriented mindset, strategic or fictitious hiring can be understood as the right thing to do from an ethical point of view – that is, as a form of solidarity aimed at countering the exclusionary logic of policies, as this interviewee observes:

Those providing support to immigrants do it out of belief. Even if they don't necessarily require a caregiver themselves, they may help the individual obtain an employment contract and work permit, bearing a temporary financial burden. Essentially, the volunteer becomes the employer, hiring the immigrant as a caregiver and facilitating their application through the guidelines of the regularization process. (Association #1)

What becomes the subject of problematization – and where forms of ethical boundary work arise – is, instead, the commercialization of fictitious contracts in a black market involving the same field where 'honest' intermediaries operate. The

latter find themselves competing with those who, besides offering consultancy, also offer, as part of the package, a job opportunity on paper:

They [unethical intermediaries] set-up companies on paper that hire ten people and it turns out that each of them paid 5,000 euros for a “*decreto flussi*” used as an amnesty, but that in the end the job was fake. (Lawyer #1)

CSAs – both grassroots associations and professionalized third-sector actors – also often consider it ethically correct to protect migrants from risky and unlawful behaviours, warning, dissuading and engaging in specific cases to save them from scams.

Some people have told us: “I have found someone who, if I give him 1,000 euros, will pretend to be my employer so I can apply for the regularization.” In these instances, we said: “Look, our experience as a help desk is that these people don’t just tell you, they tell five others, they collect 5,000 euros, and then who knows what happens. I wouldn’t recommend it.” (Association #2)

During the amnesty, I worked at a fast pace because I knew that every application I submitted was one person saved from fraud, so I tried to process as many as possible. (Professionalized third-sector actor – *patronato* #2)

Given that purchasing these types of services on the black market often leads to forms of fraud and deception – as repeatedly highlighted during past regularizations² – various actors believe it is ethically correct to warn migrants about possible scams if evidence of such a contract emerges during the consultation. As the above interviewee noted, some operators literally doubled their work shifts during the regularization period to prevent people from falling into the black market, viewing it as their ethical and professional duty to protect migrants from scams perpetrated by ethically questionable intermediaries.

In general, not all intermediaries believe it is their obligation to be concerned with or investigate the authenticity of the documents submitted by the applicant. Some actors, particularly lawyers and commercial actors, believe that their role is limited to procedural aspects of the service offered and emphasize that they “don’t play detective” when encountering suspected illicit practices.

I’m not playing detective; I just looked at the documents they brought me. But, of course, you get impressions – you understand that there was no genuine intention to hire him. (Pro-bono lawyer #1)

Other actors (especially professionalized third-sector actors responsible for delivering public services), on the contrary, consider it ethically right to ensure the accuracy of the documents submitted. These actors reveal a more governmental attitude that is focused on the correct implementation of policies, while also

² See the report by NAGA (2011): “Truffasi. Quando la legge crea illegalità: osservatorio sulla ‘sanatoria colf e badanti’ del 2009”. Available at <https://www.briguglio.asgi.it/immigrazione-e-asilo/2011/luglio/rapp-naga-regolarizz.pdf>

stressing the importance of being perceived as trustworthy intermediaries by public administrations.

The *patronato* is obligated to verify the accuracy of the documents and requirements; otherwise, it should not forward the application. So, I would say that the entire accredited system has not only a moral obligation but also a professional one to evaluate the truthfulness of the documents carefully. Consequently, anyone who intends to proceed with less transparent methods must submit the application themselves. (Professionalized third-sector actor – charitable organisation delivering public services #1)

Dealing with fictions, unlawful practices and the manipulation of rules is only the first issue we identified that shapes ethical boundaries in the field of intermediation. A second issue concerns decisions that have to be made regarding whom to support, how and why, as addressed in the next section.

(Un) Ethical Filtering: Assessing Deservingness in a Context of Normative and Procedural Uncertainty

A second dilemma concerns the implications of the inherently selective bureaucratic-administrative procedures. Intermediaries find themselves in the position of either facilitating and accompanying, or discouraging and dissuading, processes of categorization linked to compliance with a series of requirements that applicants may or may not possess. Applicants quite often lack full awareness of these requirements, not least because the rules governing legal status (transitions) and the system of residence permits are complex, variable and often unpredictable, even for long-established experts in the field.

Both amnesties and the “decreto flussi” are characterized by complex, opaque and poorly understandable procedures, especially for individuals from a migratory background, and this can cause anxiety and uncertainty among applicants (Bonizzoni & Artero, 2023). The “decreto flussi”, in particular, is marked by a sort of structural unpredictability due to the numerical limits of annual quotas and an application submission system based on “click day” (De Blasis & Bonizzoni, 2024). Applications must be submitted starting from a specific day and time, and they are accepted on a first-come, first-served basis. This turns the process into a lottery with very limited chances of success. Ethical issues thus arise insofar as intermediaries are not in a position to guarantee the positive outcome of procedures, even when scrupulously observed. This happens even when all the requirements have been met, as applications can still be rejected simply for being submitted too late – that is, within a matter of minutes, if not seconds.

In this context, several ethical issues arise concerning the implications of the filtering and selection methods that different intermediaries may or may not choose to adopt. As previously discussed, a scrupulous approach to filtering might be justified by a public servant approach that also aims to be perceived as reliable by governmental actors with whom significant cooperation has been established. However, filtering can also be justified by acting in the client’s best

interest, such as when discouraging paths perceived as unfeasible due to a lack of eligibility or very limited chances of success. From this perspective, some consider it ethical to inform clients both of the requirements and the realistic chances of success in a given application, even if, and especially when, it means acting against their own interests by not gaining any profit from dissuading people from participating in the process.

For instance, this interviewee discouraged applicants from applying for amnesty if they had not reached the minimum income level set by the law, because this would have meant wasting the 500-euro fee required by the procedure.

If they didn't have adequate income, we didn't allow them to apply because they would have spent 500 euros for nothing. I would have deceived them.
(Professionalized third-sector actor – *patronato* #3)

In the case of the “decreto flussi”, some actors – mostly associations, as well as some lawyers and service agencies – considered it ethically preferable to discourage migrants from applying due to the extremely low likelihood of success given the small quotas made available by the Italian government (only 9,500 per year for the domestic sector in the period 2023–2025).

This year, I decided not to submit applications for the “decreto flussi”, and I recommended against it to those who sought my advice because it's essentially a money-making scheme. To illustrate, in my small agency, I see two to three thousand people each year. Most agencies charge at least 500 euros to process applications. If I were to handle even just a thousand of these applications, that would amount to 500,000 euros in revenue in one or two months. However, the problem is that I know full well that it's like a lottery, with only 0.1 per cent of these applications having any chance of success.
(Private agency #1)

This issue also prompts various forms of ethical boundary work. Intermediaries are acutely aware that the uncertainty, opacity and unpredictability of procedures create opportunities for speculation and profit for ethically questionable actors. These actors exploit what some have termed a “market of illusions” by deliberately submitting incomplete applications or applications that are highly unlikely to succeed solely for their own financial gain.

[During amnesties] there is a market, let's say, of illusions, where people go, and where – intentionally or not, this still remains to be understood – applications are submitted even in the absence of the most basic requirements. (Professionalized third-sector actor – *patronato* #3)

They decide to pay a lawyer [instead of going to a *patronato*] because they have been promised that their application would be processed first: there are many actors, both private agencies and lawyers, who make these false promises. (Private agency #2)

Although it remains unclear whether these false promises stem from ignorance or bad faith, an important line of demarcation lies in the distinction between

those who do this work primarily in the interest of the client and those who do it for their own gain. This also has direct implications for the third issue we identified, which is discussed in detail in the next section.

What is Fair to Charge For?

A third line of demarcation arising from the highly heterogeneous and poorly regulated field of legal-administrative intermediation centres on how to charge in a way that could be considered ethically correct (and indeed whether it is correct to charge at all), and for what kind of services and goods. Some non-profit actors and professionals demarcated themselves from intermediaries engaging in ethically doubtful practices, such as taking advantage of the vulnerability of migrants to charge excessive fees for services that are useless, ineffective (or harmful) and of low professional content.

I've seen many cases in which migrants were charged hundreds of euros for tasks that could actually be done in five minutes by everyone, such as checking the status of an application on the ministry's website or sending a pointless follow-up email. (Association #3)

I believe that a lawyer asking 1,500 euros for a procedure that doesn't require a lawyer at all... is somewhat criminal, because you're clearly taking advantage of a situation of vulnerability. (Professionalized third-sector actor – association delivering public services #1)

Ethically questionable practices also include charging exorbitant fees for services that take undue advantage of a lack of basic skills (e.g. a limited knowledge of Italian) or basic digital skills (e.g. possessing a certified email address or an electronic ID). Furthermore, instead of empowering and enabling service users to become self-reliant (something that most associations and non-profit actors consider part of their ethical and political mandate), some intermediaries are accused of creating opacity (e.g., not sharing the information needed to verify the status of a procedure) in order to create conditions for generating further profit (e.g., charging fees for simple access to a platform). Lack of honesty, incompetence and speculation by some for-profit actors also affect the overall perception that governmental institutions, including consulates and embassies, have of the intermediation field as a whole. This creates difficulties for third-sector actors in being recognized as reliable interlocutors to whom migrants can be directed for support:

I remember when I went to meet the new consul, and I told him that I work for a *patronato*; he gave me a dirty look... and then I understood that the problem was that there are so many agencies that charge fees of up to 2,000–3,000 euros and might not even be capable of doing things correctly. So, it was very difficult to make him understand that our *patronato* is not a business, but it's part of the third sector, and the contribution we ask is generally a small reimbursement for what the state does not cover. (Professionalized third-sector actor – *patronato* #4)

This should be contextualized within the broader tensions between non-profit/activist and market actors and logics, and the dilemmas that arise regarding how and why one may or may not choose to engage in practices driven by different (and not always reconcilable) purposes. In this sense, a key demarcation comes from those who, acting according to a rights-based logic – for whom legal-administrative assistance should be de-commoditized – distinguish themselves from those (especially lawyers and private service agencies) accused of operating driven by profit maximization.

We have informally established a network of assistance centres with the underlying principle of the service being fundamentally free of charge. The regularization service is thus not a new product to sell: our focus is to empower the user who comes to us. The attempt was to create access for as many people as possible, respecting all the terms relating to ethical correctness, the regulatory aspect... Because when an amnesty occurs, there is always a black market in the background, which often turns into a criminal, fraudulent market. (Association #5).

These forms of ethical distinction became particularly apparent during the 2020 amnesty, when some non-profit actors in the Milan area (mainly associations and *patronati* stemming from major trade unions) established an informal network of legal-administrative service desks based on a shared ethical and professional approach. Participation in the network required offering services for free or for the cost of a membership card. The network aimed to share knowledge, standardize procedures and address challenges in the process. During the application period (1 June–15 August 2020), pro bono legal experts from ASGI³ provided free training sessions, as well as developing guides and reports shared via their website and newsletter. This free-of-charge knowledge dissemination, aimed at countering exclusionary and restrictive implementation practices, can be attributed to a specific form of ethical–political commitment that some actors had chosen to undertake given their particular conception of professional ethics.

The ethical approach is clearly reflected in the concept of sharing. Within the ASGI network, there is a significant amount of sharing: materials, reflections and so on. This demonstrates a highly ethical stance, as the act of not sharing suggests that you are trying to protect your own minor achievements and prevent others from benefiting from them. (Association #6)

So far, we have addressed issues shaping ethical boundaries within the heterogeneous ensemble of actors operating in the legal-administrative intermediation field, with particular reference to market and non-market actors. These distinctions are based on their understanding of mediation work as ideally free from economic pressures, focused on the client's empowerment and best interests, and as decommodified as possible – whether driven by an institutional mandate or delivered on

³ An Italian association of immigration lawyers and legal practitioners.

a voluntary, solidarity-based approach. In the next section, we focus instead on the boundaries that emerge within the sub-group of non-market intermediaries when examining their relationship with governmental actors.

Relationships with Governmental Actors

As previously discussed, several actors in the legal-administrative field occupy a somewhat ambiguous position. Professionalized CSAs outsourced to process immigration-related practices may, in particular, find themselves torn between being social advocacy actors (potentially opposing exclusionary policies) and agents of the state (implementing these same policies, exercising filters, controls, and related decisional discretion). This dual role can create distinctions and sometimes conflicts among non-profit actors, especially between those more aligned with institutions and those who refuse to implement policies whose objectives they do not support. Some non-profit actors, operating from a more radical activist and militant perspective, consider it ethically problematic to take on issues that should rest within the sole competence and responsibility of public actors. Consequently, these intermediaries refuse to participate directly in what they see as the privatization of the welfare state. For this reason, they may decline to enter into agreements as accredited entities for the submission of specific practices.

It's a long-term decision that wasn't specifically made at this moment [regarding the 2020 regularization]. We don't take actions to provide services that we believe should be provided directly by public institutions. (Association #5)

The problem is: what is the role of associations? What is the role of the third sector? Because the issue is... outsourcing the management of these procedures to third-sector actors... it's basically public service privatization... What I mean by this is that *patronati* manage a whole range of services, even for Italian citizens, that are no longer managed by the state. (Association #6)

Other non-profit actors instead view it as both fruitful and ethically appropriate to collaborate closely with governmental actors. This view is well represented by an interviewee working for a *patronato* affiliated with a major trade union; their provision of free consultancy services at the Questura offices⁴ serves a dual purpose. On one hand, it extends the limited opening hours of public offices, thus allowing governmental actors to manage their workload better; on the other, it gives the operator direct access to governmental officials, thus creating opportunities for dialogue about individual cases and promoting a favourable resolution, especially in cases where discretion can be exercised.

Every Thursday afternoon, I go to the Questura. We offer information to people who come without an appointment and might otherwise be turned away without getting their questions answered. This is part of an agreement we have

⁴ The Questura is the local police headquarters. The immigration offices of the police headquarters manage the issuing and renewal of residence permits.

with them: when there are issues with residence permits, we go there to discuss specific cases with their staff. At the same time, if people arrive that the Questura cannot accommodate, we provide them with the information they need. (Professionalized third-sector actor – *patronato* #3)

We have a direct relationship with the Questura, so we only report cases that are actually viable. What I mean is, we send an email to the Head Office outlining the case, they evaluate it and we quickly get an appointment. We can do this because we're the ones who first filter and assess which cases are worth presenting – we don't bring just any case to their attention. (Professionalized third-sector actor – *patronato* #1)

This give-and-take arrangement assumes that the third-sector actors who choose to raise certain issues adopt a responsible approach, which once again highlights the implications of their role as either intermediaries or gatekeepers. In fact, not all cases are worthy of being discussed and brought to the attention of the authorities, but only those that have a reasonable basis for being supported and defended. Among non-profit actors, forms of ethical boundary work thus relate to different positions and choices regarding the right way to operate and interact with governmental actors. A telling example of this distinction, and the different forms of commitment and action it can lead to, recently emerged in Milan due to the increased number of people seeking to apply for asylum at the Questura offices. Although this study primarily focuses on labour migration, the interviews revealed that very similar processes were at stake within the context of asylum. The surge in asylum applications, combined with a deficiency in public personnel, resulted in appointment delays lasting several months and protracted waiting periods (degli Uberti et al., 2024; Sanò et al., 2024), with individuals resorting to camping outside local authority offices. This issue has been construed as a matter of public order, which has prompted police intervention to manage those encamped outside public premises. However, the authorities have also initiated an experiment to digitize the procedure and endorsed cooperation with selected third-sector organizations and unions in appointment scheduling to alleviate staff shortages and minimize waiting times.

We decided to try to help manage a situation that was objectively unsustainable, like the queues of people in front of the Questura all night long. (Professionalized third-sector actor – *patronato* #1)

While certain third-sector entities have ethically endorsed collaboration with local authorities, certain activists and associations dispute whether access to the asylum process is being delegated to non-profit entities at no expense to the authorities and without formal allocation protocols. As elucidated in a recent report disseminated by an association network,⁵ the voluntary involvement of the third sector is perceived as an abdication of responsibility by public institutions; the practice fails to rectify the issue but rather seeks to conceal it by transferring queues from public

⁵ See https://naga.it/wp-content/uploads/2024/04/ATTENDERE-PREGO_Report-sugli-ostacoli-nella-cesso-alla-procedura-per-il-riconoscimento-della-protezione-internazionale-in-Italia.pdf

offices to the service counters of third-sector organizations and unions, rendering invisible an issue that should instead have been politicized and kept at the centre of public attention.

Conclusions

This article contributes an innovative perspective to the study of intermediaries in migration governance by bringing attention to an often-overlooked aspect of the debate: the ethical dimensions and identity boundaries inherent in the field of legal-administrative intermediation. Focusing on the Italian context, the article argues that the structural features of Italy's (labour) migration policies – characterized by extensive legal status precarity and alternating phases of regulatory restriction and selective openness, as exemplified by mass regularizations and the “*decreto flussi*” system – create fertile ground for the emergence of intermediaries as key actors.

The Italian case offers a valuable context for exploring the ethical dynamics within the legal-administrative field. This article highlights the variety of non-profit and for-profit actors at play, each driven by distinct interests and different ethical standpoints. The range of approaches adopted – from advocacy to compliance, solidarity to profit-making – rests on ethical distinctions that shape the field's inner diversity, as actors address similar issues in fundamentally different ways. The recurring ethical questions identified in our empirical cases – such as whether to engage in illicit practices and for what reasons, whether to filter applicants deemed deserving and for what purposes, how much, if at all, it is ethically appropriate to charge, and what kind of relationship to maintain with governmental actors – underscore that ethical choices shape different forms of commitment to the needs of migrants (and employers), informed by varying knowledge, procedures, and routines and, at the same time, they give rise to friction, conflicts, and the delineation of boundaries among different kinds of actors within the field.

Our analysis reveals that these boundaries extend beyond the formal versus informal and for-profit versus non-profit dichotomies often discussed in the literature on intermediaries. The perspective adopted in this paper shows that ethical boundaries, for instance, also emerge among for-profit actors, some of which engage in deceptive or fraudulent practices, while others incorporate ethical considerations, choosing, in some cases, to forgo profit in favor of the client's best interests. On the other hand, distinctions arise between those non-profit organizations that are more keen to collaborate closely with the state, actively supporting policy implementation, and those that are more hesitant, either because they disagree with the policy goals or because of concerns about outsourcing, which shifts responsibilities from the public sector to private entities. Our findings confirm the highly ambivalent role of intermediaries, who oscillate between exploiting and empowering migrants and between reinforcing, subverting, or contesting governmental logics.

The study suggests some possible policy recommendations to reduce reliance on speculative intermediaries and mitigate migrants' exposure to deceptive and fraudulent practices. Streamlining and increasing the transparency of often opaque and ambiguous bureaucratic procedures could enable migrants and other

relevant actors (including employers) to make informed and conscious decisions without relying on the support of third parties. Even when the complexity of procedures necessitates some form of technical support, the role of for-profit actors could be limited by offering these services publicly or outsourcing them to non-profit organizations. This approach could ensure more efficient demand fulfilment within a more regulated system, where legal and administrative support is properly qualified and redefined as a clearly established social right. Moreover, the reliance on ad hoc, unforeseen mechanisms for entry and regularization, implemented within a short timeframe, presents a further challenge, resulting in a high volume of applications that must be processed swiftly and within tight deadlines. The growing demand for intermediary services stems primarily from the selective and stringent nature of migration policies, reflected in a system of legal precariousness that requires repeated checks and controls on migrants' eligibility. This creates an administrative burden for governments, however, while also increasing the workload involved in managing legal status for all other actors involved in the process.

Regarding the limitations of this study, the analysis focuses solely on the Italian case and primarily on the role of intermediaries in labor migration policies. However, this approach could be applied to other national contexts – both sending and receiving – as well as to other policy subfields, such as asylum (which we only briefly analysed), family reunification, or, perhaps more interestingly, even policies unrelated to migration, such as welfare policies. Expanding this scope would offer a deeper understanding of the ambivalence and potential of the legal-administrative field, as well as the role these often-invisible actors play in the concrete implementation of migration and border policies.

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Declarations

Ethical Approval The research has been approved by the Ethics Committee of the University of Milan.

Informed Consent All interviews were conducted with the informed consent of the participants.

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