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INTRODUCTION



Theorising migration policy in multilevel states: the multilevel governance perspective

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Introduction

At first glance, the concept of multilevel governance (MLG) seems to point to a quite obvious reality: all states are structured along multiple layers of government, and public policy, regardless of the issue, is necessarily the result of the interactions between institutions and organisations operating at different levels. This reality is certainly accepted by migration scholars (Zincone and Caponio 2006), yet it has just started to be addressed in a systematic way. The growing dissatisfaction with the prevailing focus on national policies of most research in the 1990s has favoured the emergence of an MLG approach to the study of migration policy, as emphasised in recent years by the increasing number of studies explicitly adopting this perspective (for a recent review see: Scholten and Penninx 2016).

This development in migration policy studies has run parallel to the ongoing debate in political science and comparative politics on the different meanings that MLG has assumed over time. Starting with the seminal work of Marks (1992), the concept has been applied first and foremost as a way to analyse and explain the EU integration process, focusing on policy areas that are characterised by decision-making and funding at the locality/region and the EU levels (Stephenson 2013). Recent theorisations seem to point to a more general theory of MLG, which could also be of interest to scholars in different institutional settings than just European ones, including federal systems in North America (Alcantara and Nelles 2014). As noted by critics though, the other side of the coin of such a remarkable success is conceptual vagueness and lack of theoretical grasp (Piattoni 2010; Tortola 2016).

In this Special Issue we do not intend to propose another, albeit sophisticated, definition of MLG, nor to delineate a new research framework or MLG theory of migration policy. Our goal is rather that of contributing to a more fine-grained theorisation of migration policy in multilevel political settings. To this end, we argue that a crucial preliminary step is that of unraveling the often implicit theoretical assumptions that inform the use (and maybe mis-use) of the MLG concept by scholars working on immigration and integration policies in different countries and institutional contexts, i.e. federal vs. unitary states and American vs. European.

On the one hand, states have attempted to shift their responsibilities on migration up, i.e. towards international and supra-national institutions; out, i.e. towards nonpublic

actors; and down, i.e. towards local-level authorities (Guiraudon and Lahav 2000; Van der Leun 2006); on the other, international institutions, local-level authorities, and civil society organisations have mobilised on their own in order to gain influence over debates and policies around this 'wicked' policy issue (Scholten 2011). MLG stands exactly at the intersection of these multiple processes of activation from above, i.e. from the state and from EU and supra-national institutions, and from below, i.e. from lower tiers of government and nonpublic actors. Once the idea of consistent national migration policy regimes and models of integration are definitively abandoned, the question remains of how to make sense of these multi-layered policy-making processes.

To this end, in this Introduction we proceed as follows. In the first section we summarise the main positions in the current debate among political scientists on the notion of MLG. We try to place this notion in the broader context of existing theorisations on policy-making in multilevel political systems, in order to identify its specific traits vis-à-vis other neighbouring concepts such as intergovernmental relations (IGR) and federalism. The second section then provides a mapping of migration policy scholarly works explicitly adopting the interpretative lens of MLG, pointing out how this notion has been explicitly or, more often, implicitly conceptualised and applied to the study of specific policy-making processes. Against this background, the third section presents the contributions to this Special Issue and shows how they collectively contribute to illuminating parts of a broader puzzle which is the theorisation of migration policy in multilevel states by adopting either different conceptualisations of MLG or moving in a different, yet very closed, semantic and conceptual field which is that of IGR. Against this background, in the final section we elaborate on the steps needed in order to move forward the research agenda. Whereas the current debate on MLG in political science seems to be stuck around issues of conceptual definition, debates among migration policy scholars run often the risk of using the MLG label in an unthoughtful manner, adding confusion to an already foggy landscape. The increasing (hyper)specialism of migration scholarly literature does not help. Yet, the starting of a dialogue with political science would only enrich both sides and bring a fresh perspective in the theorisation of politics in complex multi-level settings. To this end, in this Special Issue we argue for a re-focusing of the debate on some minimal conditions which should be fulfilled in order to consider a specific policy-making arrangement as an instance of MLG, i.e.: (1) it has to challenge vertical, state-centred formal hierarchies of distribution of power and responsibility, and, at least to some extent (even though as we will show this is still an open matter in the literature), state/society boundaries; (2) actors in MLG arrangements have to be interdependent in the sense that a certain policy cannot be carried out by just one level of government, but requires the involvement of other tiers and eventually of nonpublic actors; and (3) this interaction should imply some degree of bargaining and negotiation among all of the involved institutions and actors.

Debating MLG: understandings and misunderstandings

Since its introduction by Gary Marks in the early 1990s, the notion of MLG has spread with remarkable rapidity among both academics and 'real-world' policy-makers. On the one hand, MLG-inspired analyses and research have proliferated, leading to the emergence of what is now a sizeable literature; on the other, MLG has been adopted, especially

by EU and global institutions (such as the World Bank), as a benchmark for good practices in policy formulation and implementation. However, as noted by critics, such a remarkable success has resulted in increasing conceptual stretching and theoretical vagueness. According to Peters and Pierre (2004, 88), 'While multilevel governance has the virtue of being capable of being invoked in almost any situation, that is also its great problem. Any complex and multifaceted political process can be referred to as multilevel governance.'

To assess the relevance of the MLG perspective, as well as its added value to the study of migration policy and policy-making, a first point that needs to be addressed is that of its theoretical foundations. Is MLG really providing a new theoretical framework? Or should we rather look at it, as some authors suggest (Alcantara and Nelles 2014), as an empirical concept? The theoretical ambitions of MLG can be derived from the intentions of its proponents: originally MLG was conceived as an alternative perspective to intergovernmentalist and functionalist theories of EU integration (Schmitter 2004), drawing attention to how national state sovereignty was eroded by the concomitant consolidation of EU institutions and growing mobilisation of subnational governments in response to EU structural funds and the cohesion policy (for a review see: Stephenson 2013). The theoretical advantage of this perspective, as spelled out by Marks (1993, 1996), stood in its 'actor-centred' approach, that is to say in its focus on the interests and calculations of political actors involved in the decisions to relocate power. However, as acknowledged by Piattoni (2010, 23), 'The weapon that had allowed him to create a conceptual space for MLG (i.e. to say what MLG was not), was not useful in erecting the MLG construction (i.e. to say what MLG was).'

Further elaborations by Hooghe and Marks at the beginning of the 2000s do not seem to have filled this gap. The conceptual framework has in fact become more complex: along with the vertical multilevel dimension regarding essentially the relations between the EU and other – primarily national and regional – levels of government, which was initially the main focus of the MLG approach (Tortola 2016, 3–4), a greater emphasis was assigned to the role of nonstate actors in diffused MLG systems of exchange, negotiation, policy-making, and implementation (Hooghe and Marks 2001; see also Bache and Flinders 2004). Furthermore, two ideal types of MLG, Type I and Type II, were later proposed by Hooghe and Marks (2001, 2003), *de facto* going beyond the supra-national EU focus, and inaugurating a new strand of more generalist MLG literature (Tortola 2016, 4). Whereas MLG I resembles conventional federal systems, which establish a stable division of labour between a limited number of levels of government with general jurisdiction over a given territory, Type II MLG is defined as a more anarchical order, characterised by single purpose jurisdictions with overlapping memberships.

The theoretical puzzle, according to Piattoni (2010), is explaining why and how these two types of MLG coexist in contemporary multilevel polities and in particular – but not exclusively – in the EU polity. Whereas the legitimacy of Type I MLG is typically of an institutional kind and relies upon legal rules and established norms, Type II MLGs 'borrow some of the legitimacy, consensus and accountability from Type I governance structures but also attempt to create mechanisms of their own . . . and must rely on the force of interpersonal relations for their continuing existence' (Piattoni 2010, 25). As is clear, different systems or types of MLG can be accounted for only by resorting to

theoretical propositions of an institutionalist and/or actor-centered kind. Rather than functioning as the explanans, the notion of MLG appears more apt to represent the explanandum.

Clarifying that MLG is not, from our point of view, a proper theory, does not imply, as some critics seem to hold, that this notion has no analytical relevance. Looking at MLG as an inductively generated, empirical concept, scholars have attempted to flesh out its main dimensions or defining features. The various definitions proposed in the literature (see for instance: Bache and Flinders 2004; Peters and Pierre 2004; Piattoni 2010; Alcantara and Nelles 2014) seem to converge on three crucial elements of MLG empirical instances: (1) the involvement of different levels of government, i.e. the multilevel aspect; (2) the involvement of nongovernmental actors at different governmental levels and (3) the emergence of complex, heterogeneous, and nonhierarchical networks among autonomous and yet interdependent actors.

The first two components might be regarded as uncontroversial, yet the status of the horizontal dimension of MLG, i.e. of nongovernmental actors, remains in many respects unclear. As stated by Tortola (2016, 4), when we move from general definitions to empirical applications, the nonstate component of MLG assumes a secondary role with respect to the multi-level dimension or is simply ignored altogether, running the risk of overlaps and confusion with neighbouring concepts such as IGR and federalism.

This brings us to interrogate what MLG scholars mean by governance, and therefore to address the third element underlying the various definitions of MLG specified above, i.e. interdependence and actors' interactions. According to Alcantara and Nelles (2014), whose analysis departs from the literature on (North American) federalism, interdependence among actors should not be reduced to a simple intersection of interests but requests that 'non-governmental actors cannot be effectively excluded from direct participation in policy processes as their collaboration is required for the success of the process' (192). In this perspective, governance is understood in terms of 'negotiated order' among public and nonpublic actors and assumes a normative tone.

Other authors, however, even if agreeing that governance implies bargaining and cooperation in contrast to compliance in hierarchical relations, and acknowledging the normative *côté* of the notion of governance, still privilege a more descriptive conceptualisation. Governance is intended as a process of governing through horizontal networks linking together public actors at different levels of government and (but not necessarily) nongovernmental actors. In this descriptive meaning, along with collaboration and negotiation, power relations, and conflict are also likely to underpin policy-making dynamics in MLG arrangements.

		Role of nongovernmental actors	
		Central role	Marginal or no role
Definition of governance	Normative	(1) MLG as negotiated order	(3) IGR as 'good' governing through coordination
	Descriptive	(2) MLG Politics	(4) IGR approach

Figure 1. A conceptual map of the approaches to the study of policy-making in multilevel settings.

As is clear, the loose boundary between empirical/descriptive and normative understandings of governance, as well as the unclear role assigned to nongovernmental actors in MLG arrangements, represent dimensions of ambiguity in the conceptualisation of MLG. Starting from the assumption that MLG is a specific instance/type of governance characterising current multilevel political settings, in [Figure 1](#) we intersect these two dimensions of ambiguity and identify four main approaches to the analysis of policy-making processes in multilevel political systems which can be found in the literature. The semantic space of MLG as a specific perspective to the study of such processes can be found in the left side of the figure, i.e. in boxes 1 and 2.

Box 1 identifies a conceptualisation of MLG as good – intergovernmental and inter-actors – governance, since it posits at the same time, as requirements for the identification of instances of MLG, both the involvement of nongovernmental actors and the pursuing of coordinated action for the success of policy-making on a specific issue. In box 2 the involvement of nongovernmental actors is regarded as discriminating, yet governance is intended in a descriptive rather than normative manner. We call this second instance ‘MLG politics’ since in this perspective the attention focuses on mobilisation processes either from below (local authorities and different nongovernmental actors) or from above (supra-national institutions or nonpublic actors organised on a transnational basis), with the goal of challenging hierarchical and state-centred modes of government.

Boxes 3 and 4, on the other hand, present a different perspective to the study of policy-making in multilevel settings, i.e. one which assigns less relevance to the role of nongovernmental actors, and therefore can be regarded more properly as variants of the IGR perspective. Box 3 identifies a conceptualisation of IGR as ‘good governing’: governance is regarded as a nonhierarchical and cooperative mode of governing among – primarily – governmental actors, which get together in a voluntary manner in order to solve a perceived social problem, often – implicitly – assuming that this method of shared decision-making/implementation will lead to ‘good’ policies. Box 4 identifies a more descriptive understanding of the IGR perspective which could be simply labelled ‘governing in intergovernmental relations’, since how and to what extent coordination among governmental institutions at different levels is actually achieved are matters of empirical analysis.

This attempt to systematise existing different approaches to the study of politics and policy-making in multilevel settings presents two caveats. On the one hand, as already mentioned above, scholars explicitly adopting an MLG perspective, either of a descriptive or of a more normative kind, often in their empirical analyses focus on the vertical dimension of MLG, *de facto* falling closer to IGR perspectives; on the other, IGR scholars do not necessarily limit their analyses to relations among governmental authorities, but have also acknowledged the necessity of looking at governance relations with nongovernmental actors (see, for instance, [Agranoff 2014](#)).

Our goal is not to identify the ‘true’ or more valid definition of MLG or MLG perspective, which seems quite a sterile exercise; rather it is that of helping to flesh out in a clearer manner those theoretical and conceptual premises that often remain implicit in many MLG studies, and contribute to the impression of theoretical and conceptual fuzziness. Starting from this preliminary mapping of the conceptual approaches to the study of politics in multilevel states, we now move to an analysis of the emerging literature on the MLG of migration policy.

The MLG of migration policy: a mapping exercise

Migration represents a potent trigger for social and political change ‘from below’. Therefore, it is an excellent test case for advancing our knowledge on what MLG actually is and how it is reconfiguring the contours of power distribution and decision-making processes in Europe and beyond. However, as pointed out in an essay on the MLG approach in the study of migration policy in European literature published in 2006 (Zincone and Caponio 2006), studies considering the interactions between different public and nonpublic actors at two or more levels of government were few, while analyses of policy-making processes on migration-related issues usually focused on one specific level, in particular on the national but also increasingly on the local/city level. A decade later, another literature review looking at MLG primarily from the point of view of relations between levels of government, presents a similar conclusion (Scholten and Penninx 2016), although emphasising the growing relevance of studies addressing relationships between the national and the EU supra-national levels.

As is clear, notwithstanding dissatisfaction with the focus of much research on national policies, MLG is a recent ‘discovery’ for migration scholars. In the following we do not intend to carry out another literature review, but – bearing in mind the conceptual map delineated above – we will highlight how migration policy scholars in Europe and North America have re-interpreted this concept in their analyses on policy-making in multilevel settings. Whereas in Europe the MLG approach gained momentum in the early 2000s, following increasing criticism of the ‘national models’ heuristic (Favell 2001; Bertossi 2011; Bertossi and Duyvendak 2012), in North American migration studies the MLG perspective appears to be deeply entrenched in scholarly debates on federalism and migration (see for instance: Spiro 2001). Notwithstanding these different trajectories, on both sides of the Atlantic two research traditions seem to underlie current studies and debates on the MLG of migration policies: policy analysis and studies on federalism and minority nations. These two traditions are clearly reflected in existing collective publications on the topic (Joppke and Seidle 2012; Hepburn and Zapata-Barrero 2014; Zapata-Barrero, Caponio, and Scholten 2017). However, their implications in terms of conceptualisation of the MLG of migration policy do not yet seem to have been spelled out.

Migration scholars working in the policy analysis tradition have regarded MLG primarily in relation to issues of policy coordination. In the U.S. in particular, scholars have used this concept as an alternative to the prevailing legal lens underlying the debate on migration and federalism, in order to shed light on informal intergovernmental relations and on the impact of often contradictory federal/state regulations on migrants’ rights and integration (see for instance: Freeman and Tandler 2012; Kinney and Cohen 2013; Newton 2018). In a similar vein, scholars in Europe have also employed the concept of MLG to analyse the concrete workings of intergovernmental relations beyond the formal division of responsibility established by national laws (see for instance: Bommers and Kolb 2012 on Germany; Campomori and Caponio 2014 on Italy). In fact, though, even when explicitly using the concept of MLG, these studies look at migration policy-making processes in multilevel settings primarily through the lens of intergovernmental relations, with the goal of making sense of complex relations of interdependency between authorities placed at different levels of government. Other scholars have adopted a more normative standpoint, and define MLG as the ‘interaction and joint coordination of relations between the various levels of

government without clear dominance of one level. This means that “vertical venues” are needed where governments from different levels jointly engage in meaningful policy coordination’ (Scholten and Penninx 2016, 94). Coordination in this kind of intergovernmental arrangement is supposed to favour policy convergence across levels of government and therefore the emergence of a consistent approach in dealing with controversial migration policy issues, which is regarded as preferable to inconsistency and policy decoupling (Scholten 2013; Scholten et al. 2018).

A similar normative stance can be found in the definition of MLG given by Leo and colleagues (see: Leo and August 2009; Leo and Enns 2009) in their analyses of Canadian provinces’ migration policies (Manitoba and British Columbia): MLG is an ‘attempt to ensure that national government policies are formulated and implemented with sufficient flexibility to ensure their appropriateness to the very different conditions in different communities’ (Leo and August 2009, 491). However, contrary to the definition of Scholten and Penninx (2016) discussed above, the emphasis here is not on policy consistency across levels of government but rather on appropriateness to local communities, therefore bringing in the plethora of civil society and nonpublic actors which in different contexts are mobilised on the migration issue. With reference to [Figure 1](#), we are now moving to the left part of the figure, i.e. that which covers ‘proper MLG approaches’, and specifically to box 1, which identifies a conceptualisation of MLG as good – intergovernmental and inter-actors – governance. The intersection between public and nonpublic actors has also been analysed from a more descriptive standpoint, in the ‘MLG politics’ perspective described above (see box 2 of [Figure 1](#)), in an attempt to identify different MLG arrangements and to account for possible dynamics of conflict or cooperation (see for instance: Emilsson 2015; Campomori and Caponio 2016).

The second research tradition mentioned above is that of federalism and minority nations, which regards migration as affecting the territorial interests of sub-state regions, in particular those that consider themselves as stateless nations or linguistic minority groups (Zapata-Barrero 2009; Hepburn and Zapata-Barrero 2014). These researchers conceptualise MLG in the context of debates on federalism and focus their attention on the set of formal and informal intergovernmental relationships that concretely affect migration policy-making processes. Taking an explanatory/descriptive perspective, this research tradition puts particular emphasis on dynamics of power and conflict revolving around issues of minority nations’ cultural identity and political autonomy in multilevel and multination states (see for instance: Zapata-Barrero 2009 on Catalonia; Hepburn and Rosie 2014 on Scotland; Banting 2012 on Quebec). Cooperation is among the possible scenarios of migration policy-making, yet the identity-based claims of substate national units are more likely to lead to an asymmetric scenario (Zapata-Barrero and Baker 2014), whereby these units enjoy greater powers and possibilities of self-governance than the other units within the same multilevel system. Whereas this asymmetrical configuration ensures the political consent of minority nations, dysfunctional outcomes are still likely to emerge, such as variation in the provision of settlement services and differential treatment of immigrants at the territorial level (for the case of Canada see: Banting 2012). Furthermore, scholars working in this research tradition have also drawn attention to the dynamics of party politics in multilevel political settings, showing how the politicisation of migration-related issues can follow different logics at a national-state and sub-state regional level (Hepburn 2014).

As is clear from the analysis of the literature carried out above, the concept of MLG has been employed by scholars primarily in order to make sense of processes of 'shifting down' of powers and responsibility to local/regional authorities, often leading to a confusion and overlap with the neighbouring concepts of IGR and federalism. In fact, far less common are studies that also investigate parallel processes of 'shifting out' of responsibilities to civil society organisations, especially on matters of migrants' integration. Studies carried out in the minority nations' tradition have especially regarded MLG as a *de facto* broad conceptualisation for 'politics in multilevel states'.

Interestingly, studies analysing in an MLG perspective the 'shifting up' of responsibilities to supra-national institutions are still few, even though, as pointed out above MLG was initially conceived as a theory of Europeanisation processes (see also: Adam and Caponio 2017). There are nevertheless some exceptions which are worth mentioning. Regarding the EU multilevel system, Geddes and Scholten (2016) provide an analysis of patterns of Europeanisation of migration policies which shows not only opposition between states and EU institutions but also instances of transgovernmentalist cooperation close to the 'ideal type' of MLG understood as a specific, cooperative mode of intergovernmental relations (Scholten and Penninx 2016, 96). Relations with nongovernmental actors appear beyond the scope of this study, reflecting – as pointed out above – the more general tendency of the MLG literature dealing with the EU to overlook the horizontal dimension.

However, it has to be pointed out that the various vertical and horizontal dynamics underpinning the supra-nationalisation of migration and immigrant integration policies have also been studied with different theoretical lens than that of MLG. Guiraudon's (2003) 'venue shopping' approach is a case in point (see also Guiraudon and Lahav 2000). At the same time, global governance studies stemming from an international relations and international law background (see for instance the Special Issue of JEMS edited by Kunz, Lavanex, and Panizzon 2011; Hampshire 2016) have provided insightful analyses of complex processes of institutional multilevelling in the migration and asylum policy field, shedding light on how interests are realised and power is exerted in different types of bilateral, transregional, and multilateral relations. In the context of the global governance literature, specific attention has also been paid to the role of international NGOs and movements mobilised on the migration issue (Rother 2012, 2013).

Hence, as is clear, the exploration of the dynamics of migration policy-making in multilevel political settings is a growing research field, though still in its infancy in particular with respect to the analysis of processes of supra-nationalisation of migration policies. In this context, the MLG perspective has been often conflated with the analysis of intergovernmental relations, stressing in particular informal interactions of cooperation and conflict which go beyond formal division of responsibilities and powers in federal, regional, or unitary – but still multilevel in many respects – states. Far less developed is what we consider, following Figure 1 above, a truly MLG perspective, i.e. one which considers how migration policies concretely unfold at the intersection of the vertical and horizontal dimensions of MLG. This Special Issue intends to set the pathway for a dialogue between different perspectives to the study of migration policy in multilevel states, and for further development and progress of the MLG research strand. After having summarised the main arguments of the authors in the section below, in the conclusion we further elaborate on them to provide suggestions for a possible research agenda on the MLG perspective in the study of migration policy and on the MLG approach more broadly.

This Special Issue: articles overview

The contributions to this Special Issue of *JEMS* are representative of the various conceptual approaches to the analysis of politics in multilevel settings identified and discussed in the sections above, and therefore provide an up-to-date and rich overview of the main directions of research in the specific policy field of migration. However, our goal is not simply that of presenting a sample of outstanding scholarly work. Quite the contrary, we think that collectively the papers contribute to illuminating parts of a broader puzzle which is the theorisation of migration policy in multilevel states.

The first contribution to this Special Issue by Scholten et al. (2018) can be positioned at the crossroads of boxes 1 and 4 of Figure 1. MLG is analytically defined as that specific type of governance in multilevel settings characterised by formal or informal vertical interaction between various government levels and by joint engagement on policy coordination. As such, it is distinguished from other types of governance where coordination is absent (localist and decoupling) or strictly top-down (centralist type of governance). This framework is applied to analyse how the Dutch municipalities of Rotterdam and The Hague have sought to exert influence on policies on the treatment of intra-EU mobile citizens, mainly Poles and Roumanians, leading incrementally to the emergence of an MLG type of – primarily although not exclusively – vertical governance relations. The authors show the various steps through which local governments strategically organised agenda-setting: (1) from an initial situation of decoupling between the European and national approaches to EU mobility and the local concerns of the two cities; (2) a localist type of governance followed, with the cities particularly engaged in strengthening their role on the issue by building horizontal networks with local public and private partners; and (3) to evolve later, in 2011, into nascent MLG relations, linking multiple horizontal cross-city interactions with intensive vertical relations with the national government and, to a limited extent, with EU institutions as well. The authors conclude that an important lesson that can be drawn from their analysis is that ‘in spite of its broad theoretical definition and application in the literature, multi-level governance is hard to achieve in practice and needs to be seen as one of the varied types of governance in a multi-level setting’.

A different approach is taken by Spencer (2018) in her contribution on the MLG of the intractable issue of migrants with irregular status in Europe. While building on Scholten’s (2013) typology of types of governance in multilevel settings (see also Scholten et al. 2018), according to Spencer (2018) multilevel governance ‘is more helpfully deployed as a generic term for relationships between tiers of government whether effective or not’. Her approach can be situated at the crossroads between boxes 2 and 3 of Figure 1, since the MLG concept is used to make sense of how local authorities, driven by their differing responsibilities and priorities, can challenge hierarchical, state-centred modes of governing in part by relying on the action of less visible horizontal networks with NGOs at a city level. On the basis of the evidence collected through a comparative study on national and substate responses to undocumented migration in the EU28 member countries, the article shows how, on the vertical dimension, coordinated governance and negotiated solutions are exceptions, whereas the more common form of relationship is that of ‘decoupling’. This can take two different forms: open conflict or low-visibility conflict avoidance. Open conflict occurs when there is no shared framing of the issue, and therefore overt opposition

takes place through political channels and/or legal litigation. Yet cities can also avoid open conflict by finding the means of providing access to the undocumented in a low profile way, so that the government can overlook, or potentially be unaware of, the ways in which its rules have been breached or circumvented. This low-visibility strategy highlights the importance of local horizontal networks: many municipalities in this kind of arrangement are highly dependent on NGOs for service delivery, since these latter can turn a blind eye on users' legal status and therefore allow for an 'arms-length approach' on such a thorny issue.

The contribution by Caponio (2018) also lies somewhat in between boxes 2 and 3, since it addresses – from a descriptive/explanatory standpoint – the relationship between two different levels of government, i.e. the local and the EU levels, but considers how horizontal networks with nonpublic actors influence these relations. In particular, the article analyses the mobilisation of two Italian cities, Milan and Turin, in European transnational city networks (TCN). Why have these cities decided to 'go Europe'? Does international mobilisation provide an alternative venue for migration policy-making to the national one? By analysing how the two cities became members of TCNs and took part in their initiatives, the study highlights the primarily symbolic resources conveyed by TCNs in terms of identity-building, policy legitimisation, and cities' positioning, and shows how these resources are crucial in the emergence of two patterns of MLG. In the case of Turin, participation in TCNs represents a resource to be employed locally in order to consolidate relations with other local partners and in particular with the local banking foundations, which are crucial actors in financing the municipality's social policies and initiatives of internationalisation. In Milan, the TCN card has been played primarily in order to lobby for national financial resources, and therefore is less linked to local horizontal networks. Through their participation in TCNs, the two cities can actually challenge the primacy of top-down, state-centred modes of intervention on the highly sensitive migration issue.

The contribution by Bousetta, Favell, and Martiniello (2018) can be placed in box 2 of [Figure 1](#), under the heading of 'MLG politics', since it is aimed at analysing how a specific multilevel political structure, i.e. that characterising the Belgian political system, operates in terms of incorporation of immigrants and their children in the Brussels city-region. The authors' main goal is to understand whether the various and unconventional forms of political access and participation characterising the Belgian multilevel political setting, i.e. the vertical dimension of MLG, have opened new opportunities on the horizontal dimension, i.e. in terms of immigrants' political inclusion and participatory policy-making, or rather has exacerbated structural factors of exclusion. In other words, they examine the relationship between MLG and democracy, to understand whether these types of arrangements may offer a new form of democratic political organisation and governance. The answer is ambiguous in many respects. If intra-community tensions (i.e. Flemish vs. Francophones) in Brussels have often enabled and encouraged new types of immigrant ethnic minority opportunities and a political voice, the authors, through the exploration of what they call 'the paradoxes of immigration politics in Belgium', provide evidence of how the given institutional structure and biases have primarily reinforced inequalities, contributing also to pathological forms of political activity and expression among marginalised groups.

If the articles of Scholten et al. (2018), Spencer (2018), Caponio (2018) and Bousetta et al. elaborate different conceptualisations of MLG, Newton's (2018) article addresses the

issue of undocumented migrants in the U.S. explicitly taking a descriptive perspective on IGR, and can therefore be located in box 4 of [Figure 1](#). The starting point of her analysis lies in the observation of conflicting and overlapping mandates between national and state governmental authorities. Through the analysis of a body of 2257 laws and resolutions produced by the 50 states between 2006 and 2013, Newton (2018) explores the emerging vertical (states-national) and horizontal (inter-states) conflicts on migration-related issues. Furthermore, specific attention is reserved for the regulation and provision of drivers' licences and personal identification, which is a policy area where aspects of enforcement and integration, and therefore state and national mandates, overlap and combine in a particularly uncomfortable manner. According to Newton (2018), state legislative action emerges as an 'instance of multilevel politics' (Alcantara, Broscheck, and Nelles 2015, 11): in the absence of policy consensus or movement at a national level, the lower tiers of government provide alternative channels for national conflicts, and guarantee their persistence.

Conclusion: moving forward

From the overview of the contributions to this Special Issue, it emerges clearly how the study of migration policy in multilevel political settings can be approached from different conceptual premises ([Figure 1](#)) and methodological perspectives (case-study in the case of Bousetta, Favell, and Martiniello 2018, comparative case-study in that of Scholten et al. (2018) and Caponio (2018), qualitative comparison in that of Spencer (2018), and mixed qualitative/quantitative in that of Newton 2018). To complicate things further, research can be anchored to different specific objects of analysis in terms of levels of government and actors involved. Given this profusion of approaches, theorising about the MLG of migration policy appears to be an almost impossible task.

However, the articles all seek to answer one crucial question: how is the increasing multilevelness of national states in Europe and beyond challenge their capacity to deal with migration-related issues? Migration has always represented a highly sensitive issue for states' sovereignty and cultural identity. Yet, important pieces of migration regulation and integration measures are decided upon and carried out at other levels of government and with the involvement of both public and nonpublic actors. The multilevelness and multi-actorness of migration policy is first and foremost an everyday reality which impinges on the lives of migrants in Europe and North America alike. To account for policy-making dynamics in complex multilevel settings appears of extreme relevance if we are to move forward in our understanding of where and how the rights and life chances of migrants are concretely forged and put into place, and why they are forged in the way they are. To this end, it appears fundamental to build a dialogue between scholars engaged in the analysis of the migration policy in multilevel settings from different conceptual perspectives.

To start such a dialogue, a greater effort should be devoted by scholars to clarify the specificity of the MLG perspective vis-à-vis other neighbouring conceptual frameworks. As highlighted in Section 3, there are already quite a few publications which propose different definitions and approaches to the MLG of migration policy, often de facto conflating this notion with that of IGR. Even though we share a dissatisfaction with mere formal exercises of concept 'bordering' (Tortola 2016), still we think clarifying one's

conceptual framework and starting point represents a crucial step in order to avoid misunderstandings and find a minimum consensus on a concept's basic elements. On the other hand, the lack of agreement on a single definition of MLG, which is by the way the case also with other classical concepts in the social sciences more generally, should not be regarded as an impediment to move the research agenda forward. The articles in this Special Issue explicitly build on literature, while elaborating different and original ways of conceptualising MLG.

On this basis, we think that three minimum elements of MLG as a specific policy arrangement can be put forward: (1) it challenges vertical, state-centred formal hierarchies of distribution of power and responsibility over migration and, at least to some extent (even though as we have seen this is still an open matter in the literature), horizontal state/society boundaries through the incorporation of nongovernmental actors in policy-making processes; (2) actors in MLG arrangements have to be interdependent in the sense that a certain policy cannot be carried out by just one level of government, but requires the involvement of other tiers and eventually of nonpublic actors; and (3) this interaction should imply some degree of bargaining and negotiation, although identifying MLG arrangements only with cases of 'effective' and/or 'successful' negotiation appears to be too restrictive a criterion.¹

Having clarified the basic building blocks of the MLG concept, let us elaborate a bit more on the steps needed in order to move forward in the theorisation of migration policy in increasingly multilevel polities. First, we think that research has to move beyond the description of MLG or IGR arrangements and to finally address 'why' questions: which factors account for the emergence of a certain type of MLG/IGR arrangement? Which factors explain higher or lower degrees of cooperation and consensus? How do MLG/IGR arrangements change over time? In other words, we look at policy-making in multilevel states as a set of changing relations. Over time these relations can become more conflictual, notwithstanding actors' interdependence and, in some cases, the initial endeavour towards coordinated governance; or, as highlighted by Scholten et al. (2018) in this Special Issue, can incrementally evolve from distance (what the authors call 'decoupling') into some form of coordination.

To address 'why' questions, and this is our second point, research on migration policy in multilevel systems, either adopting an MLG or IGR approach, needs to become more comparative. The articles presented in this Special Issue well illustrate the many facets of comparative research, across time (Bousetta, Favell, and Martiniello 2018), space (Caponio 2018; Newton 2018; Spencer 2018) and a combination of both (Scholten et al. 2018). To further elaborate on the factors accounting for different types of MLG/IGR relations, research should engage more systematically in the selection of theoretically relevant cases, that is, with respect to the MLG perspective, cases where some form of coordination/cooperation has taken place and cases where, notwithstanding the presence of criteria 1 and 2, i.e. lack of hierarchy and interdependence among actors, relations appear more conflictual.

Finally, we are firmly convinced that the study of the multilevelness of migration policy should not just be relevant for experts in this field, but can contribute more broadly to the advancement of the literature and debate on MLG in political science. As pointed out above, critics have emphasised time and again the fuzziness of this notion, questioning its very relevance vis-à-vis other more classical concepts such as federalism and

intergovernmental relations. Yet, the contributions to this Special Issue, as well as the review of the debate in the migration policy literature carried out above, show how it would be a mistake to throw the baby out with the bathwater. Matters which were once thought to be the very essence of states' *raison d'être*, i.e. controlling the entrance of aliens and setting the conditions of their integration, have become 'intractable issues' because of political instrumentalisation on the part of – continuously – emerging anti-immigrant entrepreneurs. How MLG arrangements can defuse or reproduce political conflicts, while at the same making migration policies work in a way or another, especially those targeting vulnerable groups such as undocumented migrants, is a relevant question not only for migration (hyper)specialists but for the understanding of policy-making processes on 'intractable issues' more generally. At the same time, the emergence of MLG networks over and above multi-layered institutional structures (as in the case of Belgium described by Boussetta et al. 2018) potentially provides for new opportunities for mobilisation of disadvantaged groups, although often only indirectly, through the mediation of the NGOs that populate the horizontal dimension of MLG. This line of inquiry clearly speaks to the literature on the new forms of political participation, which is looking with increasing interest at pro-immigrant mobilisation in the context of the current refugee crisis.² Linking research on the MLG of migration policy to broader debates in political science and policy studies can only enrich both sides and bring a fresh perspective into the ongoing debates among migration specialists.

Notes

1. Such an approach implies the necessity of providing clear evidence of the greater effectiveness/success of the selected case under an a priori established criteria, e.g. democratic legitimacy, policy consistency, policy appropriateness to local conditions, etc. However, existing studies on MLG often just take the 'superiority' of cooperative policy-making for granted, without either properly arguing or providing evidence of it.
2. See the project 'Collective Action and Refugee Crisis' carried out at Cosmos, Centre on Social Movement Studies (Scuola Normale Superiore, Pisa), <http://cosmos.sns.it/collective-action-and-the-refugee-crisis/>.

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