

IMMIGRANTS IN THE LEGAL SYSTEM OF THE WELCOMING COUNTRY: CONSIDERING THE ROLE OF INTERMEDIARIES

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Abstract. *Immigrants' encounters with the new legal system of the welcoming country might vary from challenging to easy process. The newcomers' path of interaction in the field of welcoming countries' legalities is related to the legal knowledge and variety of assumptions about the legal world and how it is embedded in the social reality of a welcoming country. There are many factors, that are involved and shape this complexity but one of them is highly meaningful - the role of intermediaries. Therefore, this research focuses on identifying and discussing the different statuses and roles of the intermediaries as they participate in the process of immigrant's interaction with the legalities of the welcoming country. These assumptions are based on the 53 qualitative interviews of foreign third-country residents in Lithuania. The results of the analysis reveal the main roles of the intermediaries while immigrants interact with the new legal system of the welcoming country. This research indicates that intermediaries actively or passively participate in the processes of migrants' gaining legal knowledge, influence their legal behaviour and become a part of migrants' legal interactions. Intermediaries are also seen in the variance of official statuses, visibly gaining different roles in legal relationships which results in different outcomes. Therefore, this research draws attention to the need for more profound attention to the immigrants' legal relationship and deduces practical implications for it as well.*

Keywords: *migration, intermediation, law, public administration.*

Reikšminiai žodžiai: *migracija, tarpininkavimas, teisė, viešasis administravimas.*

Introduction

The recent geopolitical conflicts and especially the war in Ukraine, have highly increased the numbers of regular and irregular migration to the EU. Just from 2020, the EU countries have granted temporary protection to more than 4.3 million people whereas the total number of non-EU citizens in 2022 has risen to 23.8 million people (Eurostat, 2023). The current situation also indicates an expanded number of EU member states that are facing an influx of refugees and asylum seekers. Amongst the member states that used to welcome high numbers of migrants as Germany, France, Spain, Italy etc. now we also indicate the middle, north and eastern regions of the EU with countries such as Poland, Lithuania or Latvia (Eurostat, 2023).

These changes in migration flows have increased scientific enquiry as they challenged the welcoming societies and in particular, those EU members who have less experience in facilitating national integration practices. It has also tested them by revealing the strength and vulnerabilities of the public sector and social cohesion (Albarosa & Elsner, 2023). In these terms, the integration policies became of great importance. The monitoring of the Migrant Integration Policy (MIPEX, 2020) and integration policies for refugees (NIEM (2017-2021) reveals that national integration policies and practices vary and are unequal across the EU (Institute of Public Affairs, 2020; Solano & Huddleston, 2021). The research also indicates

that the current migrants' challenges remain related to housing, the labour market, health and the facilitation of belonging in welcoming societies. These problems are also interrelated, for example "employment problems can quickly become housing problems and welfare problems" (Barnard et al., 2022, p. 506).

While pursuing to extend the discussion about the field of migrants' integration, we have identified the need to address and analyse a particular aspect - the integration in the legal environment of the welcoming country. It is worth to notice that there is still relatively little work done in examining it. This particular research might be addressed with more scientific dedication as migrants' integration in the welcoming countries' legal environment is greatly related to acquiring their implementation of their fundamental rights and implementation of obligations.

The inquiry on migrants relationship with the legal environment represents a general trend of research of law and society. This field is featured by research which are focused on analysing migrants' legal consciousness (Abrego, 2011; Adamski & Florczak, 2022; C Menjivar et al., 2016; Menji & Albrego, 2012; Muñoz, 2016, 2018; Singer, 2019; Solórzano, 2021), legal behaviour and legal order (Adamson, 2020; Maghularia & Uebelmesser, 2023) and more. Although we would argue for more elaboration and scientific dedication to the migrants' legal relationships in the welcoming environment because each national legal system is featured by its' particularity. In pursuing to expand scientific knowledge on migrants' experiences in legal environment, it is important to address it more accurately which might be done by researching particular case. Therefore in the following research we focus on one country's - Lithuanians' case study, which would assure accurate results for further practical implications.

During the last decade, Lithuania has experienced an increased number of migrants which have been doubled from 1,2 in 2014 to 6,6 percent in 2023 and concludes 189,4 thousand in the Lithuanian population (Migration Department under the Ministry of the Interior, 2023, p. 11). Though the numbers are generally small, but they implicate the need to draw attention to this topic because of relatively limited practice in welcoming new residents. Grounding on previous research, we find that new residents experience challenges in various legal relationships in Lithuania. The former scientific enquiry indicates that migrants experience challenges in the spheres of administrative, employment and civil legal relationship in Lithuania (Miezanskienė, 2022; Miezanskienė & Tartilaitė-Paulauskienė, 2020). We find that immigrants need additional support in this field as well as there is a need for a deeper analysis of the migrants' experiences in the field of legal order in the welcoming country.

By seeking to dedicate more attention to this particular topic, this research aims to introduce the aspect of intermediaries' role in migrants' legal relationships in the welcoming country. Therefore, **the main aim** has been set to identify and discuss intermediaries' interaction in the process of immigrants' encounter with the legalities of the welcoming country. The particular tasks were targeting to:

- a) identify immigrants' experiences of legal relations in Lithuania which involve the interaction with intermediaries;
- b) analyse and discuss the different roles and statuses of intermediaries in migrants' legal relationships.

The investigation of the intermediaries' involvement in migrants' legal reality, requires specifying the key concepts of "legal system" and "intermediary". As for the concept of a "legal system", the scientific literature offers a broad and a narrower interpretation. The broad concept refers to "a set of deeply rooted, historically conditioned attitudes about the nature of law, about the role of law in the society and the polity, about the proper organization and operation of the legal system, and about the way law is or should be made, applied, studied, perfected, and taught" (Duve, 2018, p. 21). H. J. Berman also depicts the term of "law in action" which "consists of people legislating, adjudicating, administering, negotiating and carrying on other legal activities. It is a living process of allocating rights and duties and thereby resolving conflicts and creating channels of cooperation" (Berman, 1999, p. 4). The more systematic way of interpreting legal system is focused on "law from its conceptual state (doctrine, subjects of legislature) legal norms (system of laws) and their implementation (legal relations and law enforcement institutions)" (Vaišvila, 2009, p.

358). The beforementioned broad concept encompasses the complexity of the term “legal system”, but it also makes it challenging to investigate as it would refer to migrants’ overall experience of it (legal system). Though the narrower concept offers and stresses a separate realm as “system of laws” and agencies which allows indicating more specific realm of the research. It provides a particular focus on subsets of civil, administrative, criminal or labour law. There should be also noticed that its more accurate to interpret legal relationships when they are prescribed to one of the particular branch of laws. Each of the separate branch of legal relationship requires different level of persons knowledge, resources and active involvement in the process of rights implementation and defence. Therefore research will follow the logic of evaluating all these separate legal relationship which are based on legal norms of the welcoming country.

As this research focuses on subjects who are involved in migrants’ legal relationships, there is a need to specify a term which encompasses most of the possible forms of participation. To embrace all the spectrum of involvement, this term should also not be predetermined only by a positive involvement or only active forms of involvement (as mediation, arbitration). Third-party involvement in legal relationships might be referred to legal representation as a lawyer, advocate, legal consultant, or mediator, but it should not be limited to it and encompass other subjects’ involvement.

The term “intermediary” offers one of the most suitable contents of participation as it refers to the abstractness of “situated or occurring between two things (in space, time, degree, or character)”(Oxford University Press, 2023a). It is also referred to as “a person or an organization that helps others <...>by being a means of communication between them”(Oxford University Press, 2023b). These definitions offer a generalization for participation or involvement, which is one of the essential roles of the third party in the legal relationship. Though it is also considered to be a synonym to the other concept of “mediator”, but the latter term refers to more of a conflicts resolution where “a person who intervenes between two parties, esp. for the purpose of effecting reconciliation; an intercessor” (Oxford University Press, 2023a). The following research will adopt a more abstract definition of “intermediaries” in order to focus on various forms and statuses of involvement in migrants’ legal relationships.

The research methodology has been designed to collect and analyse immigrants’ experiences in the host country. The method of semi-structured interview had been used to focus on specific migrants’ legal relationships as well as related relationships in Lithuania (EU). The set of 53 interviews had been conducted from 2019 to 2021. The interviews were conducted with non-EU citizens who were legally residing in Lithuania. The interviewees’ country of origin/previous long-term residence was in the geographical regions of Africa and Asia. These specific regions were chosen to address immigrants’ experiences who were most likely to experience meaningful social and cultural change. The aforementioned new residents’ groups might be categorized to: a)immigrants from the African continent whose countries of origin are classified under mixed legal systems with the features of Anglo-Saxon, religious and customary law; b) immigrants from Southern Asian geographic regions (Pakistan, India and others), the countries of origin of which are classified under mixed legal systems which express the features of Anglo-Saxon/ religious and/or Anglo-Saxon/ religious and customary law.

The interviewees obtain similar characteristics of the same a) geographic region; b) representing the country of previous residence which belongs to the ‘mixed legal systems’ (non-Western law tradition). Finally, c) the previous countries of residence of interviewees maintain different (lower) Democracy Index which implies a set of different experiences in the previous residence country.

The interviewees’ transcripts were coded and analysed using Maxqda - qualitative data analysis software. The focus was set on the intermediaries’ participation in the new residents’ legal relationship, namely civil, administrative and employment.

The main limitations of the research are closely tied to its’ strengths while conducting interviews with a specific group of residents who are coming from Africa and South Asia. The particularity of the framework provides an opportunity to address a homogeneous group of new residents but sets the limits on the

results' application to a) English speaking (experiences might be different because of the language barrier) and b) those who experience cultural differences in the welcoming country. One of the limitations is that this research is also dedicated to analysing the experiences of intermediation in migrants' legal relationships. Therefore, it does not include the intermediators' experiences and perspectives on the migrants' relationship which would be valuable input for additional future research on this topic.

Law and intermediaries in migrants' life

Highly institutionalized democratic countries require specific attention to their legalized environments. As the legal relationships are imminent, new residents, as well as citizens, have no choice but to address them in their daily lives. The feature of a high-density network of institutions, legalities and even legalese* are usually the characteristics of countries, with high democracy indexes and these are the ones which are attracting migrants on the pattern of Global South to Global North migration (Segal, 2019, p. 141). Therefore, in the process of integration, new residents might inevitably face practically applicable new rules and regulations. These are institutional functionalities which lead to the interaction with the administrative legal relationship as well as embrace aspects of prosperity and income as employment, business, buying assets, or taking on liabilities. Overall, it covers the scope of multiple interactions with welcoming countries' administrative, labour and civil legal rules and regulations. This way, the involvement in the legal environment itself becomes a part of the integration processes (Ager & Strang, 2008; Garcés-mascreñas & Penninx, 2016; Spencer & Charsley, 2021). In practical terms, it includes knowing and adapting the legalities of the welcoming country for the fulfilment of obligations and the needs or defence of entitled rights.

Though importance and the uniqueness of these legal relationships also affect their structure and application. The specific feature of the autonomy of law has been stressed in the theories by N. Luhman ir G. Teubner (Luhmann et al., 2014; Teubner, 1986). The distinctiveness of legal relationships has been also revealed by M. Cerar who has portrayed the factors of the autonomy of modern law as: specific formalism, abstract nature, generality, systematicity, specific linguistic expression (legal language), and the professionalization of its agents. The author sought that the material (substantive) sense of the autonomy of law is ensured primarily by its own historically developed and consolidated values (legal tradition), which are distinguished as relatively independent from the political, moral, customary, religious, and other values (Cerar, 2009, p. 24). Overall, we agree that law pertains the specificity of static and dynamic nature and therefore, in turn, it creates diverse obstacles for newcomers to handle it. The scientific literature stresses that these obstacles need to be overcome by the interference of the third party intermediating in the process.

There might be multiple subjects who could be engaged in intermediation. One of them is migrants, but their involvement will likely be filled with additional obstacles. The findings of S. Edge, E. L. Brown, S. Ghosha and A. M. Murnaghan (2020) indicate various barriers that are preventing immigrants from engaging in advocacy. They find that "immigrants and other marginalised groups do indeed face unique procedural barriers, prejudices and challenges that can reduce one's influence and/or engagement in improving conditions". While researching specific civil relationships (lease) they find that these obstacles might be fear of eviction and deportation, language barriers, poor awareness about civic rights, trauma, problematic power dynamics involving other subjects (Edge et al., 2020, p. 677). There is scientific proof that migrants' legal relationships are exceptional as they are filled with experiencing the power of legal language which leads them to linguistic fragility. The research findings on the role of legal language in the systems of asylum determination reveal that there might be a range of risks associated with mistranslations, miscommunications, and partial or imprecise meaning conveyance between parties (Gill, 2023, p. 6). In this complicated process of migrants' interaction with welcoming countries' legal regulations, we find different roles of intermediaries. The reflection of their performance is mentioned by Catherine Barnard, Fiona Costello and Sarah Fraser Butlin (2022) while examining the every day (employment)

problems faced by EU migrant workers. Their investigation on “GYROS” (community-based advice agency) experiences and comes with findings that organization might help migrants by not just providing” (legal) advice, but it also acts as pragmatic anti-bureaucrat, translator, donor, trusted community resource and broker. “GYROS” offers a client-need driven service, sometimes undertaking all these roles at once, dealing with a multiplicity of clustered problems simultaneously, strategizing which problem(s) are most urgent and working from there” (Barnard et al., 2022, pp. 506–507). So, the interference in legal relationships might be of various forms and with overlapping missions. Intermediaries could be counsellors, for example advocating for undocumented students’ education (Crawford et al., 2019). They could also be parliamentarians as an aspiration and access to justice (Newman & Robins, 2023). The diversity of civil activism on behalf of migrants should be also considered as a mediating agency for migrants gaining particular rights (Voss et al., 2020).

One of the well-known forms of intermediation should be considered pro bono lawyering, and this service of legal aid is the most well-known. There is scientific proof that the availability of nonprofit pro bono legal aid predicts the outcome of the legal interaction. For example, in the US “regions with greater numbers of pro bono attorney groups produce fewer immigration removals” as well as the number of non-attorney advocates predicts fewer non-criminal immigrant removals (Chand et al., 2021, p. 621). Iker Barbero research reflects on legal aid services in Spain and notes that legal aid services might be considered even as a “rescue industry” (Barbero, 2020, p. 59).

Legal consciousness research also introduces the reasoning of migrants’ challenges in legal relationships. For example, C. Menjívar’s research addresses that migrants experience an intense sense of law (hyper-alert) which drives migrants to constantly think about how and in what ways they can use the local law for their interests (Cecilia Menjívar, 2011, pp. 392–393). This feeling of “omnipresent” law evokes insecurity and might be pushed to act very intensively by seeking for help of third-party involvement (Miežanskienė, 2022). We find that intermediaries’ involvement is important and might be revealing in different forms.

In order to discuss intermediaries’ involvement in migrants’ legal relations in Lithuania, it is necessary to address the distinctiveness of their particularity and surrounding environment. The Lithuanian legal system is considered to be on the side of advanced democracies as the index of the rule of law scores above the Global average and it is ranked 20th out of 140 countries (*Rule of Law Index*, 2023). This means the four universal principles of the rule of law accountability, just law, open government and accessible and impartial justice for the general population are available in practice (Bukovnik et al., 2022, p. 14).

The investigation reveals that the national legal system of Lithuania frames and implements a few regimes of migrants’ treatment according to the legal status of the resident. These two regimes refer to the entitlement to rights defence and secondly – the restrictions regards rights implementation. If to proceed on the first one, the national system offers a set of formal legal services for immigrants equally as for native citizens and should ensure translation services for that purpose. This way new residents are entitled to the same rights in legal relationships. For example, the right to receive service of translation according to the Code of Civil Procedure and the Code of Criminal Procedure (LR civilinio proceso kodeksas, 2002, p. art. no. 11; LR baudžiamojo proceso kodeksas, 2002, p. art. no. 8). On the other way – immigrants also face their rights’ restrictions based on the status of residence. For example, restrictions to be elected or to participate in the democratic elections (LR įstatymas “Dėl užsieniečių teisinės padėties”, 2004). There is a particular distinction between these two regimes which are primarily defined by the legal status, but both of them sets the background of legal relationships and the need for the involvement of different statuses and roles of intermediaries. International scientific literature introduces the concept of liminal legality” to frame migrants’ experience of facing restrictions which are tied to the legal status of residency. The impact of liminal legality is well-researched in the context of the USA while investigating outcomes of “DACA” project implementation (Burciaga & Malone, 2021; Cecilia Menjívar, 2006). The findings of researching on liminal legality suggest limited and contingent impacts on socioeconomic integration (Hamilton et

al., 2021) and implications that “more than other immigrants, those with temporary legal status display patterns of incorporation incompleteness” (Cecilia Menjívar et al., 2022). As they find, the “legal status stratifies immigrant populations into hierarchical classes with unequal access to society’s resources, rights, and rewards” (Cecilia Menjívar et al., 2022, p. 694). The underlying legal precarity also offers heterogeneous effects for further integration (Okura et al., 2023).

While discussing the situation of new residents in Lithuania, we also find that they are facing the same legally projected dualism as there is a set of legal relationships when the government has an obligation to keep the entitlement to the just and fair legal process, but there is also a set of legal restrictions to become a part of the society as well. The surrounding environment of the welcoming population also impacts the need for intermediation. The current scientific studies and reports indicate the social distance of Lithuanian society towards some groups of newcomers (Blažytė, 2022; Blažytė & Žibas, 2019, p. ir kt.)

Previous research which addressed immigrants’ experiences with the legal environment in Lithuania has revealed that they experience a lot of challenges in the field of administrative and labour legal relationships (Miežanskienė & Tartilaitė-Paulauskienė, 2020, p. 58) which identifies the lack of preparedness for the welcoming in the legal surrounding. The performed analysis of working conditions and safety also reveals struggles where “labour migrants experience verbal abuse and physical violence at work somewhat more often than Lithuanian citizens” and the fact that “in cases of exploitation of labour migrants, the possibilities of representation or assistance are limited” (Petrušauskaitė ir kt., 2015, p. 66–77).

The analysis of the spectrum of labour relations also reveals that, when extraordinary situations (of exploitation) occur, the possibilities of legal protection are extremely limited. I. Karalienė notes that it is difficult to prosecute individuals for particularly exploitative conditions (Karalienė, 2019). A. Gutauskas emphasizes that in this case, responsibility for the exploitation of forced labour is not met due to the extremely high vulnerability of the victim and the refusal to defend/enforce their rights (Gutauskas, 2015, pp. 65–66, 2016, p. 207). All these insights indicate that there is a specific need to support migrants in their legal relationships.

So, when it comes to the legal process the state offers legal aid or mediators and the private sector provides an opportunity to address legal consultants and advocates, but it might not be enough. Therefore, we need to address the current spectrum of intermediaries’ roles and involvement in order to suggest future guidelines for their presence and interference.

Roles of intermediaries

As the previous research has revealed that migrants are facing challenges in welcoming countries’ legal relationships, further discussion leads to how new residents overcome them and who is participating in this process. The conducted interviews revealed that intermediaries participate in various ways in the overcoming of challenges in legal relationships. There might be a different connection to intermediaries as family members (spouses) friends, acquaintances, co-workers, and community members (natives and/or from the diaspora). They might be the ones, who are intermediating voluntarily and those, who are being paid for their services as lawyers, advocates or mediators. Nonetheless, it should be stressed that the most important aspect is not only the connection that the intermediary holds with the migrant but also the role he obtains in this legal relationship.

While seeking to introduce the intermediaries’ role in migrants’ legal relationships, the research focused on a certain aspect of their performance. This has offered the module of interaction which involves migrants’ situation (i), the subject for intermediation (iii) and the intermediaries’ role and status (ii) in between (see figure no. 1). It occurred that intermediaries are: involved by supporting different needs while addressing migrants’ situations, therefore obtaining different roles and performing in different statuses; working in different settings; and these relationships might be providing different outcomes (iv).

We provide the differentiation of the roles of the intermediaries by discussing the before-presented

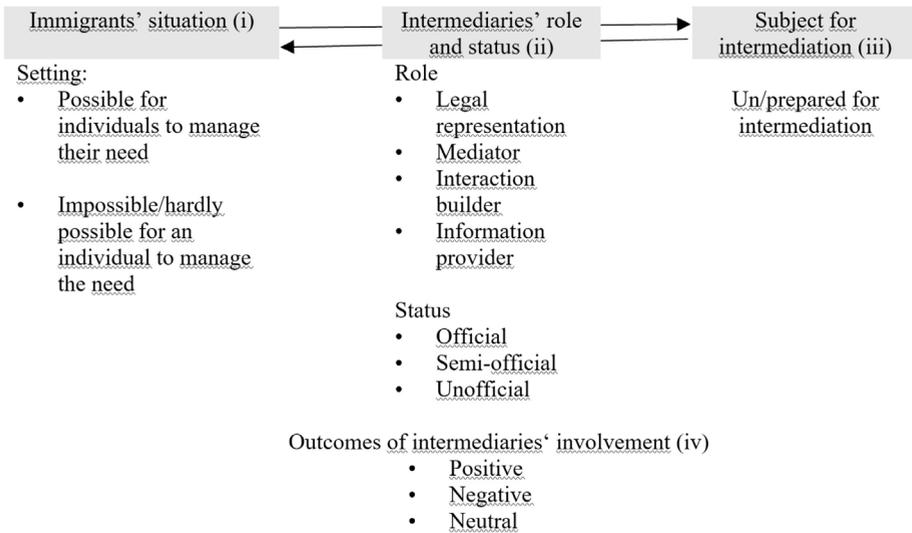


Figure 1. Intermediaries' role in migrants' legal relationship

Source: Authors.

model and by addressing each part as a separate aspect in the context of the immigrants' interaction with the legalities of the welcoming country.

As presented in the figure (no 1.), the conducted research indicates that immigrants' situation (i) might be either challenging as the legal relationship a) might not be in newcomers' capabilities for individual management or b) possible for individual management. The scenarios of impossible/hardly possible individual management of the legal relationship might be the ones, which are related to the language barrier and national legal information systems which are un/prepared for the newcomers. The examples of this relate to the resourcefulness of given information, the flaws of its translation, or even relate to the aspects of migrants' trust in officers/officials to ask for help. For this reason, the new residents have no other option than to seek the intermediaries' help. Considering this, there are few insights from interviews that will illustrate the roots which are causing the newcomers' incapability in legal relationships.

The first one reflects the importance of the language barrier. This might be the most common reason to address the intermediary. What is uncommon to migrants' expectations is the fact, that the language barrier might be evident even in those cases when the subject of interaction have the same skills of language (e.g. English). In these situations, the interpretation of language or translation occurs as the main obstacle for understanding and works as driver to seek for help. As one of the interviewees has mentioned "*the language that was on the website, it's not your language, so it does not have a direct translation. When you translate to English from Lithuanian, you will see that it does not really have a direct translation...<...>*" (interview, 8). The need for intermediaries is also vivid in those cases when there is a lack of language skills in any of the communicating sides. The new resident from India was surprised by: "*<..> the fact that, a number of them (officials) don't speak English. We are foreigners, come on! It's a bit frustrating. It really is*" (interview, 12).

The instant need for intermediaries also arises in those cases when new residents obtain conflicting data (information) about the matter which might be even highly important. For example, managing the data accuracy on migration status. One of the interviewees remembers his confusion in relation to the migration office: "*Today they said „A“, tomorrow they can say „B“, like if you call a different person, they can tell you something else*" (interview, 50).

Sometimes there is a lack of clarity for legal regulation as for example taxation policy and its implementation. This creates additional confusion which requires a third party to step in and inform or explain how the system is operating. One of the interviewees expresses this in his statement that employers “*need to properly mention – “in hands you will get this much amount”. Not with tax. With tax and without tax <...>. And how much euros they are taking as SODRA, how much euros they are taking as insurance, how much euros they taking for the pension, and how much euros the employee and employer has to pay the pension and SODRA. <...> So this is amazing misunderstanding and no foreigners are asking for these tings.*” (interview, 50).

The other scenario relates to the legally predetermined incapability to either identify and/or pursue legal remedies and administrative systems. As a rule, they might be often available to the native people but filled with obstacles for newcomers. One of the examples would be the possibility of addressing the internal system of civil rights defence by claiming legitimate debts through e-government services. For example, a Lithuanian - native person – is able to address his legal issue through the e-service Portal of Lithuanian Courts (<https://e.teismas.lt/>). It provides him/her the ability to claim his/her civil rights by using any of the prepared forms for primary litigation and eases the financial burden of addressing the legal representation. Without this particular knowledge and capabilities, the new resident is not able to defend his rights without an intermediary. The legal representation (advocate or the legal consultant) needs to identify the prospects of the action and legally represent the new resident in the process.

The conducted research also reveals other scenarios as well where the management of the legal relationship is possible by migrants themselves, but not taken into consideration. This is mainly driven by internal perceptions about the field of legalities of the new country. Especially at those times, when there is a lot at stake and there is no room for mistakes like the legal regulation on legal status in the welcoming country. These are more situations/settings where legal relationships become burdened and which might be challenging for migrants who need an intermediary’s involvement. For example, one of the interviewees explicitly said, that there is not enough information, therefore he has to address as many people as he can to proceed with what he pursues. By addressing the aspect of “Immigrants’ situation (i)”, we find that the system of information provision and empowerment for action might be an important factor in putting new residents in the position of searching for an intermediary’s help.

Migrants might be also leaving their issue aside without looking for help, by saying “*Yeah, there is nothing to approach<...> (“Interview, 26) or “Who are you going to report to? Who is going to fight for you?” (Interview, 53) or “<...>we don’t have any lawyer” (Interview, 24).* This brings highly negative outcomes such as feelings of disappointment, powerlessness, lack of trust, and alienation which prevents the integration process (see the interview below).

“*Actually they are taking advantages from us, because we are not... ..we don’t know, we don’t have any lawyer. We don’t know the laws, we don’t know the Lithuanian*” (Interview, 24)

“*And I’ve seen more than four or five people that have the same issues being taken care of in the same immigration office. So, then it gives you an impression that something is wrong. You say this is law, but the law is applied differently to people.*” (interview, 15)

The unfulfilled expectations to implement lawful rights is setting the ground for migrants’ not constructive activity which are “those that cannot provide the opportunity to achieve the desired result, are unethical or clearly redundant. They can manifest as psychological pressure, denial of demands, feeling and acting in excessive insecurity, mistrust and failure to admit one’s mistakes” (Miežanskienė, 2022, pp. 122–123, 191).

In the multiple scenarios of a welcoming environment, this research indicates the main roles and statuses of intermediaries’ (ii). They might vary accordingly to the need and the setting of the new environment. Their role in migrants’ legal relationships could be leading to legal representation, mediation, interaction building or just provision of information (see figure no 2.).

New residents tend to search for opportunities and to address the help that they are offered, though

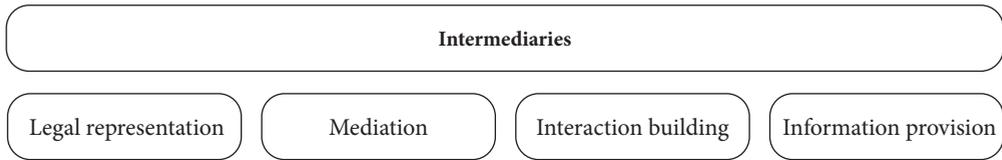


Figure 2. *The intermediaries' role*

Source: Authors.

in the case of Lithuania, not all of the services are equally available. For example, legal representation (advocate, legal consultant) or official mediation, services require a higher qualification for professionals' work (due to language knowledge). As long as there is no adequate financial resourcefulness, this situation serves as an obstacle to obtaining professional defence of legal rights (except the required legal aid). And contrary to this – while newcomers can afford professional legal representation, this can be an efficient way for intermediaries to help. But this also serves to create a distance between migrants and institutions. This is beautifully revealed in one of the businessmen's shared experiences:

“For Sodra (State Social Security Fund), most of other institutions, I always had someone to help me to communicate with them, especially because of the language barrier. So, I have this company which I enjoy the work with and they represent me in like communicating with Sodra or other government institutions. They usually help me to do the communication, that's why I'm not having a lot of communications with other government institutions, like Sodra, VMI (State Tax Inspectorate)” (interview, 51)

The other part of intermediaries' involvement is related to mediation procedures. As long as a part of these mediation procedures are more of a choice, immigrants have to know about them in order to consider them as an opportunity. The conducted research reveals, that the option of mediation is not mentioned on the list of options or even for consideration. However, some of the mediation processes are legally obligatory without the migrants' decision (in the case of divorce, or in the cases that a civil contract itself obliges to use it).

The less formal involvement of intermediaries could be identified as interaction builders and information providers. This might be a more questionable role of intermediaries as the set of necessary information should be available in plain legal language and the most common languages as English or any other which is required according to the scale of the particular diaspora of immigrants in the welcoming country. But if it is not sufficient, intermediaries serve as a third party in these legal relationships, for example, filling out the documentation or just finding the right option to choose for further action.

“So that was the migration department. And it's just like lack of information. Not like being very clear. In terms of the application is easy, but it's not clear. You could choose a lot of wrong things that you wouldn't know, like.” (interview, 27)

“You see this situation right now, we don't have clarity. The employment office, labour office refer you to the immigration. Immigration refers to employer, employer, so it's just a side policy, that you just run around around.” (Interview, 26)

“<...>I don't think that they have a very clear idea about what they are going through. They just do these procedures.” (Interview, 16)

Intermediaries are involved in information provision and serve as a way to find correct and extended legal information on the needed situation or its resolution. In both cases: either interaction services or fulfilling the need for information, we find semi-official or unofficial intermediaries. There are more people/agencies who are able to participate in legal relations even without particular knowledge, therefore, we find the spectrum of different statuses of intermediaries in migrants' legal relationships (see table no 1.)

Table 1. The statuses of intermediaries

The Intermediaries' Status in the Immigrants' Legal Relationship	The Examples of the Intermediators' Status in the Immigrants' Legal Relationship
Official	Legal entity with the rights to representation Advocate Lawyer Mediator Official representative of the NGO or other public institution (as a university) Translator etc.
Semi-official	NGO member, employer, spouse, etc.
Unofficial	Friends or acquaintances (member of diaspora or native), institutionally bonded people as co-workers etc.

Source: Authors.

By indicating the spectrum of intermediaries' status, we would like also to stress the outcomes of its potential involvement in migrants' legal relationships. The status of intermediaries' involvement indicates the risks concerning it as well.

As it was mentioned, the official help might require private resources and if the welcoming state does not ensure the support which is needed or the easy-to-manage systems for access to information then the expectations for help lead to semi-official and unofficial intermediaries. The interference of the latter does not provide the guarantee for a successful result which leads to the fourth aspect, that needs to be elaborated - the "Outcomes of intermediaries" non/involvement (iv).

The outcomes of intermediaries' non/involvement might come in positive, negative or neutral forms. It should be stated that new residents need the whole spectrum of support in legal relationships and not meeting their needs puts them in an unfavourable situation. Non/involvement of intermediaries has also implications for them not feeling a part of the welcoming community. The interviewee from Nigeria beautifully summarises that if there is no one trustworthy to address the right deference in legal matters, there is also no path to acquire and implement those rights.

"If there is no way you can hear your opinion or fight it, or someone listen to you and look, whether it is the way it should be, those things are lacking and you don't have the confidence enough to even place the call to someone that can listen to it and look at it. If all is happening like that and they (migrants) won't be trusting the system. Because if I do anything, who cares? Like what will you do? Tell the other foreigner whatever it is? <...>Let's be honest. Are you going to hire a lawyer that can probably the police speak to <...>and you don't even know, maybe there are would be at your side at the end of the day and you're gonna pay big money for it. Like, who can you really trust? That is a question. <> Who are you going to report to? Who is going to fight for you? This European Union, human right, you know, but how do you get it" (Interview, 53). The negative outcome of intermediaries' non-involvement results in distancing migrants from their abilities and rights.

We indicate different outcomes which come as a result of not using the full spectrum of rights in the welcoming countries' system. For example, the shortage of information or the shortage of valuable information leads to not using the additional benefits of that would be available. As one of the interviewees has mentioned *"I've missed a lot of years of not contributing and receiving benefits"* (interview, 26). One of the most common examples might be the right to fully use a health security system that distinguishes migrants according to the legal status they obtain. In the case of Lithuania, third-country immigrant - students were not insured by the state's health insurance unless they were employed or complied with other

conditions. In this case, they have to purchase private health insurance, which covers only a limited list of situations for their treatment. Buying private insurance is based on a civil contract law which might be evaluated and negotiated for different conditions. The analysis of this particular situation revealed that immigrants are in need of either additional knowledge or intermediaries to explain and facilitate this situation. One of many interviewees students has accurately pointed *“I have talked with many... international, they don't know if insurance workable or not. Even when you pay 196 euros.”* (interview, 35). It implies that new residents need to be prepared to tackle legalities in advance. In this particular case – either to be ready to manage legalities, to know their limits and to negotiate for new conditions in the contract. Either to have additional information about the fact that if they want to maintain the full health insurance, which is guaranteed by the state, they have to be paying health insurance or have it paid by the employer or under self-employment status. In order to understand this and similar situations, intermediation is needed and might come in different roles. Sometimes immigrants are informed by non-official intermediators (like spouses) and they feel more secure about the outcome, but it does not mean it brings the feeling of fulfilment of the need and the feeling of fully managing the situation. The interviewee's experience from India portrays that: *“Most of the times they (officials or other) have been very helpful. But again, as I said, when my wife is accompanying me. And not just immigration, doctors and everything, so that needs to be rectified a little bit”* (interview, 43). The other interviewee states the same by saying *“It doesn't matter if I have a Lithuanian friend, wife or anything. Just imagine I was alone in this country now. That means it would have been messy, I won't get any information. It's not something government institution like that should take like this. It should be something they should be always ready for. This like should be like an emergency in the hospital”* (Interview, 52)

The involvement of intermediaries (at times) might not help to fulfil the expectations or the needs of new residents and even might advocate for the worse. For example, the experience of a few of the interviewees perfectly illustrates the unfavourable outcomes of intermediaries' involvement. In their case, they have suffered from the crime and were willing to address the police for them to start the investigation. In order to do that, they had to overcome the unsupportiveness, doubts and direct and non-direct hints to step back and not address the police to start the investigation and the case. We find it to be the people of close-range circles as spouses, colleagues and friends. This leads to an evident situation where the involvement of intermediating persons was more disadvantageous than supporting migrants to claim their rights.

Discussion and practical implications

The research implies and is consistent with the current literature that intermediaries' roles are important for migrants' legal relationships. It is worth stressing that the range of intermediaries' roles is helpful for migrants to reach the proper result according to their enquiries. If the resourcefulness is not sufficient, in Lithuania migrants might try to address as many intermediaries as they can to get the result, starting from obtaining the right information to legal representation. Though the outcomes of intermediations might be at variance too which means leading to not the best outcomes. It should be taken into consideration that these findings research might vary or be co-dependent on the welcoming countries' particularity of legal framework and welcoming society. For example, differences in the possibility of access the legal support in relationships (in the US and Lithuania). There might be a major variance in the need to address intermediaries' services because of the welcoming migrant diaspora and the efficiency of public service (governmental input) and NGO involvement in migrants' integration process.

As in D.E. Chand et al. (2021) study, these research findings also implicate that access to legal representation might bring better results than having a lack of it. However, we find this in daily life legal relationships, and not only in those, where official legal representation is needed. It is also evident that migrants' involvement in the legal realm of a welcoming country should be prepared in advance, uniting multistakeholders' efforts, communities, NGOs and officials for this integration process (M. Semprebon,

R. Marzorati & P. Bonizzoni 2022). We find of great importance the previous legal consciousness research which identified liminal legality and hyper-dependency in legal relations. We find it pushing migrants to address intermediaries for involvement and embrace a wider spectrum of intermediation.

Finally, the need to discuss the involvement of intermediaries has implications for the discussion of migrants' ties with the legal environment of the welcoming country. It is also a way to address the features of integration in the legal environment as this portrays the way how new residents interact with the field of legalities and the environment overall. This interaction is part of the formation of legal consciousness and reflects the status of integration. Research findings are in line with the theoretical approach that migrants' integration includes legal relationships (Ager & Strang, 2008; Garcés-mascreñas & Penninx, 2016; Spencer & Charsley, 202). Though it also adds to that it might be elaborated by providing their analysis in-depth.

As the EU countries are facing a constant influx of new residents, scientifically proven insights are valuable resources for practical implications. The conducted research about the intermediaries' roles in migrants' legal relationships revealed particular aspects, which might be valuable for the enhancement of the process of integration.

To begin with, we have to recognize, that legal relationships for new residents might be complicated in their nature and there is a need for intermediation in order to be in line with them. Therefore, we must admit the importance of intermediaries' role in migrants' lives as well as the existing variety of intermediaries in migrants' legal relationships.

The practical implication in understanding that new residents might act in accordance with the instructions of intermediaries has at least two implications. This refers to the (i) recognition of the outcomes of the non/involvement of intermediaries. The negative side refers to migrants obtaining and performing by a) erroneous information or sometimes b) misconceptions of information that has been given by intermediaries. The negative side also refers to c) non-involvement/absence of intermediaries when they could be the most helpful. Therefore, public officials, officers or other state officials should be ready to check the information and/or the accuracy of it that the new resident upholds. Simplifying – double-check if the new resident is on the same page regards understanding the procedure and legal outcomes.

On the other hand, there should be admitted the positive side of intermediation - there is a need for a variety of roles and statuses of intermediaries. It helps to reach out to a larger spectrum of newcomers in the different settings of their lives. Therefore, the results of the research provide the incentives to urge the creation of a network of intermediaries for migrants' legal relationships. This would be a second practical implication - introducing skilful intermediaries into social relationships.

The outcomes of the research also urge us to pay attention to public administrative relations by advising to strengthen welcoming countries' public sectors and NGOs' competencies for intermediation in migrants' legal relationships. Especially enhancing cultural competencies in recognizing (identifying) the need and importance of intermediation.

Conclusions

- Immigrants' interaction with the welcoming countries' legal system is unavoidably featured by the occurrence of intermediaries. They obtain different roles ranging from the provision of information, interaction building to mediation or legal representation. Intermediaries also perform in various statuses which might vary from official, semi-official and unofficial involvement.
- The variety of intermediaries' roles and their involvement in migrants' legal relationships produce positive and negative outcomes. The spectrum of intermediaries' involvement in legal relationships is valuable for positive migrants' interaction with the welcoming countries' legal relationships. Third-party involvement fills in the shortages of official means of policies for integration to welcoming countries' legal system. It often refers to the translation and interpretation of legal regulations in practice. The identified risks of the involvement of intermediaries are related to the fact that:

- a) hyper-alertness and hyper-dependency, as well as the lack of resources, reduces new residents' will of choice in legal relationships;
- b) the unqualified intermediaries' involvement increases migrants' vulnerability in the legal relationship because of the lack of knowledge how to use the process of the rights defence mechanisms of the welcoming country in migrants' best interest.

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Ramunė Miežanskienė

IMIGRANTAI PRIIMANČIOS VALSTYBĖS TEISINĖJE SISTEMOJE: TARPININKAVIMO VAIDMUO

Anotacija. *Imigrantų socialiniai-teisiniai santykiai priimančioje valstybėje gali susiklostyti ne tik sklandžiai, bet ir būti paženklinti įvairių iššūkių. Tokiais atvejais, atvykusieji ieško papildomų žinių, stengiasi patys išspręsti susidariusią situaciją bei kreipiasi pagalbos į asmenis ar organizacijas. Atliktas mokslinis tyrimas siekia pažvelgti į tai, kokios yra trečiosios šalies (asmens) įsitraukimo į šiuos teisinius santykius formos bei tai, kokį rezultatą jos generuoja. Mokslinio tyrimo išvalgos remiasi Lietuvoje atliktų 34 kokybių interviu duomenimis. Jie atskleidžia, kad imigrantai teisiniuose santykiuose yra pažeidžiami, nes, dažnu atveju, priklauso nuo trečiojo asmens įsitraukimo ir jo profesionalumo, o tai gali lemti ne tik teigiamas, bet ir neigiamas pasekmes. Pastarosios yra sietinos su a) itin didele priklausomybe nuo trečiojo asmens, kuri sąlygoja sumenkusias galimybes atvykusiam spręsti iššūkius individualiai; b) menkesnėmis galimybėmis kontroliuoti teisinių santykių pasekmes, kada susiduriama su trečiojo (informuojančio/konsultuojančio) asmens profesionalumo ar įsitraukimo stoka. Neigiamos trečiojo asmens įsikišimo pasekmės trikdo imigravusiųjų integracijos procesą bei neskatina pasitikėti priimančios valstybės teisinės sistemos efektyvumu. Teigiamos*

trečiojo asmens įsitraukimo į imigranto teisinius santykius pasekmės įgalina atvykusįjį efektyviau naudotis turimomis teisėmis bei tinkamai atlikti pareigas. Tyrimo rezultatai taip pat atskleidžia, kad trečiųjų šalių įsitraukimo į teisinius santykius poreikį sąlygoja priimančios valstybės teisinio informavimo ir konsultavimo sistemos bruožai.

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