Work and the Challenges of Belonging

Work and the Challenges of Belonging:
Migrants in Globalizing Economies

Edited by

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**CAMBRIDGE
SCHOLARS**

P U B L I S H I N G

TABLE OF CONTENTS

Part Three: Prospects for Migrants' Agency

Part Four: Ethnicization and Commodification of Migrant Labour

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Mojca Pajnik, Ljubljana
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INTRODUCTION

MIGRANT WORK, PRECARITY AND AGENCY

MOJCA PAJNIK AND FLOYA ANTHIAS

This book engages with migrant work in globalizing economies in the EU and worldwide and explores the relationships between work and the complexity of migrant belonging in transnational spaces. Migrant experiences related to global labour market structures need to be understood in the context of transnational and national policy frames that largely determine the production of migrant work as poorly paid, precarious, and accompanied by low status and social protection. It is therefore important to analyse both policies themselves and migrants' agency in coping with them across a range of societies. Argentina, Costa Rica, Chile, Czech Republic, Germany, Israel, Italy, Moldova, Norway, Russia, Slovenia, UK are among the countries analysed in this book.

The book aims to contribute to an evaluation of some of the problems with current policies that regulate migrant work in Europe and more globally using a cross-disciplinary comparative, theoretical, empirical and policy approach. The book addresses issues of temporality, circularity and precarity of migrant work in specific national and global labour markets; solidarity and belonging transnationally; the prospects for migrants' agency and their strategies of coping with restrictive migration and economic policies; and the practices and patterns of the commodification of migrant work. The book also discusses some of the analytical and political problems of migration and labour market discourses and practices, particularly in relation to developments around new forms of exclusion, securitization and ethnicization of migrant work. It provides analyses of specific migration and labour policies and practices such as the mechanism of circular migration, work permits, employment strategies, manners of migrant recruitment, pointing critically to their exclusivist nature. These issues are explored in relation to broader notions of transnational democracy and solidarity that seek to overcome the instrumentalization and commodification of migrant work.

Apart from analysing migrant precarity, an important focus of this book is migrants' agency, and their coping strategies and negotiations of belonging in transnational spaces. Several authors point to various coping strategies that migrants use and ways they assess their needs and life projects. Migrants form diverse networks develop educational and professional strategies and familial arrangements that may become a resource which helps them to overcome constraints that otherwise limit their opportunities. Exploring migrant's agency the book thus helps to tell stories about migrant belonging. These stories narrate and reflect migrants' practices of belonging which doesn't only focus on ethnicity but, rather, attends to processes of marginality and subordination more broadly (Anthias 2002).

Exclusivist migration and labour market regimes

There is no doubt that the restructuring of global economies has transformed work arrangements from "the welfare" to "the workfare" model with accompanying implications for development and social inclusion/exclusion (Handler 2004). This is nowhere better seen than in the context of migration. There is a strong Eurocentrism to be found in migration and labour market debates and policies where migrants are viewed as a commodity. They are seen as either highly skilled workers who represent an opportunity for economic development, or low-skilled workers who are needed in order to fill labour market shortages for 3D (demanding, dirty and dangerous) jobs that are unattractive to indigenous workers. Non regular work arrangements are prevalent among migrants with employment on short-term contracts and in the black market, which provide limited or no social security. Such arrangements have also deepened the gender division of labour, producing masculinised sectors of migrant work such as construction, and feminized sectors such as care work and cleaning.

Migrant labour sustains economic life in countries across the globe by responding to demographic and labour market shortages. The lives of migrants are strongly conditioned by a skills and status based circular migration system which determines who can enter and who can stay. The migration management system determines residence rights, work permits, political participation, welfare benefits, access to health services and possibilities for family unification and family life.

It is now many decades since writers (such as Piore 1980) showed how migrant workers in the 1970s, much as today, constituted 10 per cent and more of active labourers filling 3D jobs. More recent work has shown how

labour market positioning essentially determines migrants' lives (Brubaker 1989; Devitt 2011) and their role in sustaining growth in capitalist globalizing economies (Sassen 1998; Papastergiadis 2000). This situation has been aggravated by the latest economic crisis that has led to the massive lay-off of migrant workers. In these times of welfare cuts, migrant workers are the first to lose their jobs and work permits. This makes them vulnerable to precarious conditions within informal labour markets and puts them at risk of illegality, thereby negatively affecting their everyday life. In addition, it puts them at the disposal of recruitment agencies that trade migrant workers and profit from their underpaid work. Many companies that to a large extent depended on cheap migrant labour often exploit migrants to the extent that invites analogies with "modern slavery" (Medica et al. 2011). The combination of researching policies and discourses alongside migrant experiences, adopted by several authors in this book, demonstrates that current migration and labour market regimes function as mechanisms for the securitization of national and global ideologies and, at the same time, the growing insecurity of migrants.

Research has shown that work and residence permit requirements form the basis of the European migration-labour market order that determines greatly migrants' work and life chances (Pajnik and Campani 2011). Generally, countries employ visas and temporary and permanent permits, and give preferential treatment to ethnic "repats", and to migrants who are recognized as important for a country's position (such as sportsmen and businessmen). Countries employ other mechanisms for limiting the employment of "third country nationals" like quota systems, temporary work, restricting migrant employment to some industries, limiting legal employment possibilities, tying work permits to specific employers and so on. Apart from the system of work permits, policies regulating residence are a particularly potent mechanism for controlling migration. Despite the country differences that have important consequences for migrants at the general level, the predominately restrictive and protectionist orientation of the migration-labour order in Europe and globally is demonstrated by migrant stories to negatively influence migrants' work and life options (ibid.).

Organization of the book

In Chapter One Karmen Medica discusses contemporary migration policies, especially those around the circular migration and integration rhetoric. The principal aim of espousing the concept of circular migration is that the process is heralded as functioning to fill the gaps in the EU

labour market, to facilitate the development of migrants' countries of origin, and to prevent migration from becoming permanent. In theory, the rotational concept of circular migration has proved to be contradictory; in practice, the author shows, it has proved to be inapplicable in the long run and unacceptable from the point of view of social justice since it imposes control, restriction, and, above all, selection of migrants. The chapter also explores how Slovenia encourages migration when in need of a new workforce and how as a rule it doesn't attend to the integration of migrants. Moreover, migrants are often used as scapegoats and find themselves primary targets for dismissal in times of increased unemployment and social unrests.

Claudio Morrison and Devi Sacchetto in Chapter Two explore whether migrant workers can gain recognition as fully fledged social agents rather than being classified as mere economic factors or diasporic beings. The chapter looks at labour migrants' strategies reviewing the experience of construction workers moving across the EU and the former Soviet Union. It unveils their aspirations and expectations and shows how these translate into strategic options. Migrants' accounts also reveal how they perceive the structural differences between the two geo-political spaces, ultimately producing their own economic geography of countries of origin and destination. The authors draw on ethnographic fieldwork and in-depth interviews with Moldovan and Ukrainian construction workers and experts from the field of migration based in Italy, Russia and Moldova. The research challenges methodological nationalism by identifying transnational spaces, rather than singular labour markets, as the terrain where conflict is articulated. As a result, a more nuanced picture emerges where such workers appear as more than just victims or marginal actors in niche labour markets. The authors conceptualise their findings in terms of migrant's "mental maps" and the "geography of needs" where mental maps are made of migrant aspirations and expectations projected onto transnational spaces and where the association of needs with specific geographical areas generates migrants' own geography of social spaces.

Chapter Three by Anıl Al-Rebholz proposes that it is important to look at the educational and social mobility strategies of migrants' children in transnational social space as a product of their social location rather than examining them in terms of their cultural origin. The latter tends to use a cultural deficiency approach to explain the lower professional and educational success of migrants. Social location, in turn, should be conceptualized as the interplay of the enabling (inclusionary) and constraining (exclusionary) structures, norms and values in migration contexts. The author argues that, in this sense, migrant transnationalism, in

the form of diverse networks and educational/professional strategies might become a resource which helps migrants to circumvent the constraints and restrictions put on them as they seek to improve their socio-economic status in the context of globalized economies. Based on a comparison of two biographical narratives – from a young Kurdish woman and a Turkish woman both living in Germany in the third generation – the chapter shows that the construction of certain forms of belonging is accompanied by corresponding forms of transnational biographical orientation and upward mobility strategy.

Chapter Four by Ksenija Vidmar Horvat and Tjaša Učakar addresses the question of the public perception of migrant workers from ex-Yugoslav countries in present day Slovenia. The analysis approaches the question from a comparative historical perspective in which public discourses on migrants from the region of former Yugoslav states are examined in a pre- and post-1991 contexts. The central focus is on the changing political and cultural attitudes towards migrant workers in the two historical periods and the shifting public narratives around the image of the "foreign" labour force. The authors discuss public depictions of massive lay-offs of migrant workers in Slovenia, due to the collapse of the construction companies, and their international (non)protection, to examine broader issues relating to migrant labour in contemporary Europe. This issue is illuminated in relation to current theories about the European model of society, European citizenship, regional solidarity and cross-national justice.

Using the concept of translocational positionality (Anthias 2002), Chapter Five by Mastoureh Fathi draws on the ambiguities and complexities of the lives of a group of Iranian middle class migrants who work as women doctors and dentists in the UK. The chapter presents an in-depth narrative analysis of interviews that demonstrate how some migrants are actively engaged in othering different categories of migrants. The analysis shows the processes through which these Iranian women's understanding of the "other" is shaped vis-à-vis specific groupings such as black people, Afghans or the English. The author argues that these boundaries of belonging in the case of middle class migrants are safeguarded by professional identities rather than ethnic or racial differences.

Despite the development of high-skilled migration, a vast majority of migrants in the Czech Republic fill "low-end" jobs, i.e. jobs with high levels of precariousness, difficult working conditions and which are sometimes also irregular. Building on qualitative interviews with migrants who have been living in the Czech Republic, Miroslava Rákoczyová in

Chapter Six shows how their job-search strategies initially direct them towards marginal positions in the labour market. As they attempt to become more socially integrated, their chances to escape the most precarious job conditions increase and their overall situation improves. However, the disadvantageous characteristics of their jobs form a barrier for a move to a well-paid job corresponding to their qualifications. The author has identified a strategy leading towards "upper-end" jobs that is based on the investment of migrants in their own human capital and is combined with characteristics such as diligence and endurance.

Chapter Seven by Olga Tkach explores au pair placement as a legal form of international mobility popular among youth seeking to live in Western Europe, the US and Australia. In contemporary au pair studies this institution has been reduced to cheap domestic work provided by female migrants from the post-socialist countries of Central and Eastern Europe or Southeast Asia to Western Europe. On the contrary, in this chapter au pairs are seen as agents in realms of mobility and multi-faceted work, including not only domestic and care, but also emotional and intellectual work, involving active networking with host family members and other individuals and communities. The author draws on in-depth biographical interviews with young women and men who arrived from various parts of Belarus, Moldova, Russia and Ukraine as au pairs in Norway, or who became so shortly after arrival. Even though highly educated and mature newcomers experience short-term professional downgrading, in the long-term perspective they see themselves as able to compete effectively with native workers in the Norwegian context. Their immigrant career develops according to educational and career strategies, as well as marital plans.

Barbara Samaluk in Chapter Eight explores the discursive commodification of EU accession migrant workers on transnational employment agencies' websites. By focusing on the movement of transnational employment agencies' services and their marketing strategies the chapter uncovers on-going colonial processes that contribute to the creation of a specific class of worker with a distinctive value on the UK labour market. The author exposes how specialised (ethnic niche) agencies brand themselves as experts for or representatives of accession and workers. As such they legitimise their authority and their voice in group making and thus participate in assigning a specific identity, value, position and performative roles to EU accession country workers. The chapter demonstrates that these workers are discursively constructed through spatial and temporal dimensions and embodied markers of difference. Through their discursive practices, agencies produce a specific style or

class of worker that is available for demanding, dangerous, dirty, flexible, insecure and precarious jobs at lower costs. The chapter contributes to research that engages with complex intersectional analysis across spatial and temporal dimensions. Specifically, it reveals how commodification is achieved by the marketization of cultural and embodied markers that assign a racialised "price-tag" to migrant workers.

Recruitment practices of labour migrants arriving to work in the domestic care sector in Israel is the main topic of Chapter Nine by Nonna Kushnirovich and Rebeca Raijman. The chapter draws on interviews with migrant workers from the Philippines, Nepal and Sri Lanka and it examines two main engines sustaining migration from these countries: 1) the migrants' social networks pulling and facilitating the arrival of new migrants and 2) the "migration industry" that makes a profit from the commodification of labour migration. The first engine is operated by co-national social networks and the second by intermediaries that make a profit from the recruitment and placement of migrants. The chapter shows how social networks and intermediaries intertwine to reproduce and perpetuate the recruitment of new labour migrants.

The chapter found that a large part of the "economic utility" of bringing labour migrants to Israel does not necessarily lie in their actual employment, but rather in their being "imported".

The persistent economic development gap among countries in Latin America has led to structural conditions that explain, at least in part, the continuing inflow of regional migrants to countries such as Argentina, Chile and Costa Rica. However, as shown by Roxana Maurizio in Chapter Ten the insertion of regional migrants in these labour markets is significantly more precarious than that of the locals, a situation that is expressed through a very high percentage of workers who are not covered by social security system, unprotected by human rights and earning very low wages. Additionally, migrants usually take jobs that are unattractive to local workers, such as domestic services or construction. The informality of these jobs also implies a lack of access to health care and pension benefits when they retire, with a negative impact on the social position and the increasing vulnerability of these workers and their families. Also, in times of crisis, migrant workers are the first to lose their jobs. Additionally, they do not have access to social protection in order to mitigate the impacts on their family income. The chapter discusses issues of informality, labour and family incomes, income inequality and access to different social protection mechanisms from a comparative perspective among the countries involved in this chapter.

References

Anthias, Floya. 2002. Where do I belong? Narrating collective identity and translocational positionality. *Ethnicities* 2 (4): 491–515.

Brubaker, W. Rogers. 1989. Membership without citizenship: The economic and social rights of noncitizens, In *Immigration and the politics of citizenship in Europe and North America*, ed. Rogers W. Brubaker, 145–181. New York: New University Press of America.

Devitt, Camilla. 2011. Varieties of capitalism, variation in labour immigration. *Journal of ethnic and migration studies* 37 (4): 579–596.

Handler, Joel F. 2004. *Social citizenship and welfare in the United States and Western Europe: The paradox of inclusion*. Cambridge: Cambridge University Press.

Medica, Karmen and Goran Lukič. 2011. *Migrantski circulus vitiosus: delovne in življenjske razmere migrantov v Sloveniji*. Koper: Univerzitetna založba Annales.

Pajnik, Mojca. 2011. Impossibilities of social citizenship: on the statelesness of migrants. In *Security, insecurity and migration in Europe*, ed. Gabriella Lazaridis, 239–257. Farnham: Ashgate.

Pajnik, Mojca and Giovanna Campani, eds. 2011. *Precarious migrant labour across Europe*. Ljubljana: Mirovni inštitut (Peace Institute).

Papastergiadis, Nikos. 2000. *The turbulence of migration: globalization, deterritorialization and hybridity*. Cambridge: Polity Press.

Piore, Michael J. 1980. *Birds of passage*: *Migrant labour and industrial societies*. Cambridge: Cambridge University Press.

PART ONE:

CIRCULARITY, TEMPORALITY, PRECARITY

CHAPTER ONE

CONTESTED CIRCULARITY AND INTEGRATION
IN CONTEMPORARY MIGRATION PROCESSES

KARMEN MEDICA

Introduction:
Contemporary migration and "security" problems

At the end of the 20th century, migration became an increasingly complex issue with a new image: what came to the forefront was the relation between migration on the one hand and the destabilization of traditional communities and transformation of social relations on the other. Nowadays, the term "migrant" still has an ambiguous meaning with its positive connotations of cosmopolitism and adventure decreasing, and its negative connotations of aliens and asylum-seekers, associated with instability, fear and threat increasing. Despite publicized reports of raids and threats of sanctions against lawbreakers, the traffic in humans and frequently human organs, as well as abuse in prostitution, is still on the rise (OSCE 2013).

Some of the people, especially in transit across the Mediterranean, are the victims of human traffickers – women and children who, even if they reach land safely, will be condemned to a life of exploitation and abuse. Human traffickers are well aware of the legal loopholes; in fact, they run less risk than any other illegal activity would entail. Today national states attempt to regulate the fluidity of labour in relation to capital, while capitalism attempts to set the price of labour on the basis of the global minimum, regardless of global needs (Tapinos 1999).

Undocumented migration in particular, inspires Europe and the larger world with fear – justified, according to some, by sundry forms of violence by migrants against the majority population and the state, by economic imbalance, by their concentration on the fringes of large cities, but also by the political and economic exploitation of their problems (Medica 2012). Other causes of fear are contemporary political changes at

both national and international levels, as well as a growing collective desire for the safety of the local, domicile population, which is "threatened" by migrants.

This desire and fear goes hand in hand with an economic crisis spreading even in the most affluent countries. Due to economic conditions, particularly the growing need for manpower, the increased number of economic migrants represents, despite the current economic crisis and recession, one of the main compensation mechanisms for the shortage of manpower in the labour market. However, the "problem" of immigration is increasingly being treated as a "security" issue. The questions increasingly raised in official circles are: How safe are we from the "turbulent" migration flows in modern society? How safe are our jobs from migrants; how safe are our houses, streets? But the opposite question could be asked as well: How safe are migrants from the European need for a new workforce, low birth rate, and the desire to earn extra profit?

Globalisation, transport, and communication have speeded up and facilitated migration. While some routes of migration have been dictated by the historical ties of colonialism (with Algerians, for example, moving to France, Indians to Great Britain, or the Surinamese to the Netherlands), trends have revealed that, particularly since the fall of the Eastern bloc, migrants have been looking for new destinations on the basis of contacts with friends, families, employment agencies.

One can notice the sheer importance of the arrangements on movement or the right to enter and leave a country that the developed world has set up for all potential migrants. The strongly and rhetorically present focus on legality raises challenging issues. This is partly because new laws are constantly being introduced setting a new *modus vivendi*, with new rules on movement in a given area (Bade 2005), producing new forms of undocumented migration. Indeed, undocumented migration has become a priority issue for EU migration policy over the last ten years. It has also hit the headlines of newspapers in a number of EU countries. Governments of member states have accused one another of having lax policies for dealing with undocumented migrants, and right wing politicians have struck a chord with EU electorates with regard to security issues and undocumented migration. Nonetheless, the size and main features of the undocumented migrant population of the EU as a whole and of each specific member state remains under-researched. Most policy and media reports are based on "guesstimates" which often acquire a life of their own. Moreover, the majority of persons irregularly employed is not strictly speaking illegal and includes a large number of citizens from new EU member states who do not yet have formal access to the labour market.

For undocumented migrants the only possibility to work is in fact to work illegally (Triandafyllidou 2010).

Despite the increasing military enforcement of national borders and the severe penalties, international "war" against migrations has yielded results that are far from ideal. How can a state defend itself against a process which is globally linked to its own development? How can migration departments create precise rules to distinguish legal migrants from undocumented ones? In addition, in terms of the relationship between globalization and migration, state laws often contradict each other.

Deregulation of labour makes the labour market easier to control at a global level, at the same time stimulating the informal economy which involves migrants more than it does the resident labour force. The political and ruling elites are preoccupied with the issue of who belongs to the developed world (Europe, the USA, Canada, Australia), and who has a right to stay "here". The pressure to protect borders is increasing and the measures listed above are evidently intended to protect the state apparatus, not people. There is no doubt that increasing control of migrations is helping to provide cheap labour.

The analysis of contemporary European policies, including those of Slovenia, on economic migration places emphasis on two objectives: the efforts to conceive and implement efficient strategies for attracting migrant workers on the one hand and the development of mechanisms for actualizing the temporary nature of their stay and work with the aim of preventing their permanent stay in the European Union on the other. Established practice shows that the state encourages immigration when in need of a new labour force, yet as a rule does not take care of the incorporation and therefore effective integration of immigrants. At the same time, immigrants are often made a scapegoat during periods of increased unemployment and unstable socio‑economic conditions and are caught in legislation gaps, denying them appropriate access to social benefits.

Integration and terminology or "the terminology of integration"

The omnipresence of migration flows in modern society draws attention to the fact that migration terminology itself has become politically manipulative and conceptually useless. This is further confirmed by terminology widely used in official EU circles which many find to be largely mechanistic and hence dehumanizing. The very terminology used by state agencies implies the potentially criminal nature

of migrations, which therefore require increased surveillance, well organised border controls, alerts to other countries, general principles, and all-round measures.

In the European Commission circles the following terms are the most outstanding: action, action plan, instruments, instrumentarium, mechanisms, operations.

With regard to the terminology used among construction workers in Slovenia, the following terms in particular were detected in the Slovenian context of the field: gazde [bosses] (employers), sužnji [slaves] (workers), dilerji [dealers] (middlemen), žetoni [snitches] (informers).

It is especially important to focus on the final word. Informers truly assume the function of snitching on their co-workers. In point of fact, this is a case of tokenism, of action intended to make people think that an organisation deals fairly with people or problems, when in fact it does not.

The term "token" may be associated with a bus token. In the case of workers at construction sites, we have identified a phenomenon where workers report on their co-workers to their superiors for a pittance. According to their accounts, the prices range between 10 and 50 Euros – illustratively for the price of one token. As a result, the reported workers are transferred to other, more demanding or more distant construction sites, and they become subject to financial sanctions or are fired.

Given the above, it seems perfectly reasonable to draw a comparison between migrants and slaves, which has been made by numerous scholars dealing with migration processes (Castles 2006; Vertovec 2007; Piyasiri 2011). Both these terms refer to non-free workforce subjects and to coerced movement. The comparison of migrant workers with "non-free workers" and slaves from the colonial era also seems appropriate to Stephen Castles because migrants as a rule have limited access to health and economic rights, as well as work contracts (Castles 2006). They are also frequently excluded from certain professions, senior positions and functions, and have problems acquiring work permits specific to one employer, for which reason workers cannot seek employment with another employer, so that some are ultimately left with no other alternative but to return to their home countries. The European policies, including Slovene, on economic migration places emphasis on two objectives: the efforts to conceive and implement efficient strategies for attracting migrant workers on the one hand and the development of mechanisms for actualizing the temporary nature of their stay and work with the aim of preventing their permanent stay in the European Union on the other. In the last two decades more expansive, market-based policies have been introduced. By focusing on these it is easier to understand the timing and tempo of policy

change. This is not to say that the role of interests should be overlooked – on the contrary there is an underlying assumption that many sectors in the EU countries are functionally dependent on migrant labour (Balch 2010).

Dynamic political deviations of the new world order (e.g. globalization, EU, the Schengen regime, deindustrialisation of the West) bring radical change in the factors that give rise to migration flows and create new hindrances for migration (Papastdergiadis 2000). Moreover, even the seemingly simple difference between an economic migrant and a political refugee may signify deportation in one case and asylum in another (Medica 2007).

As long as there is a widespread stereotypical conception of immigrants in the public arena, as long as the attitude of the state towards immigrant workers and its political, religious and cultural expectations permit them to be scorned by their immediate community or at work, and be marginalized in the society at large, it is paradoxical to talk of the implementation of integration within the wider society.

To paraphrase Mojca Pajnik, in integration policies that in one way or another relate to contemporary liberal ideas of a multicultural society, migrants/foreignness is seen as a problem in need of a solution. Integration policies are determined by an absence of a communicative attempt that would see migrants/foreignness as welcome agent of change, rather than as a problem in need of a solution defined and safeguarded by the state's organs. Instead of posing the question, "How should we solve the problem of migrants/foreignness?" one should consider what problems migrants/ foreignness solves for a society, and what are its potentials (Pajnik 2007). Finally effective integration without policies is impossible, but policies without effective integration are indefensible.

Circular migration concept – new perspectives and possibilities for migration processes or back to the past

In the last fifteen years the EU member states have experienced substantial flows of immigration, and the characteristics of international migration flows are also undergoing qualitative change. A major change has occurred in the reasons for migration as well as in the ethnic composition of migrant workers. The question of migration regulation is becoming one of the key agendas in the European Union, especially for two interrelated reasons:

The first one concerns the demographic trends in EU member states in which low birth rate, prolonged life expectancy and an aging population,

respectively, affect the changing structure of the labour market, as the share of the working or employable population is in decline.

The other reason stems from the economic situation which manifests a stronger need for a cheaper workforce, while the increased share of economic migrants is becoming one of the central options for tackling the deficit in the labour market. Social, economic, legal, security and other problems concerning the causes and effects of migration processes affect everyday life in all spheres of society. Placed at the foreground of this complexity are the processes of globalization, a rapidly growing economy in the time before the crises, and low birth rate of the European population.

The concept of circular migration appears to be the rage in international policy circles and this concept is becoming an increasingly mentioned form of migration. According to the European Migration Network (EMN) Glossary,[1] circular migration is defined as "a repetition of legal migration by the same person between two or more countries", with examples given in the "Commission Communication on circular migration and mobility partnership between the European Union and third countries" (COM 2007) namely:

1. Circular migration of third-country nationals settled in the EU. This category of circular migration gives people the opportunity to engage in an activity (business, professional, voluntary or other) in their country of origin while retaining their main residence in one of the Member States. This covers various groups, for instance: business persons working in the EU and wishing to start an activity in their country of origin (or in another third country); doctors, professors or other professionals willing to support their country of origin by conducting part of their professional activity there.
2. Circular migration of persons residing in a third country. Circular migration could create an opportunity for persons residing in a third country to come to the EU temporarily for work, study, training or a combination of these, on the condition that, at the end of the period for which they were granted entry, they must re-establish their main residence and their main activity in their country of origin. Circularity can be enhanced by giving migrants the possibility, once they were temporarily residing, for example in the form of simplified admission/re-entry procedures (European Migration Network 2011).

In the opinion of the European Commission circularity could, if well managed, facilitate a balance between international supply and demand of workforce and thus contribute to the economic growth. In this respect, the European Commission points to the fact that in the event of lack of proper design or of mismanagement circular migration could develop into a

permanent one, thus preventing the realization of its objectives.[2] Circularity may be fostered by providing migrants, once they have been re-admitted to employment or training, with simplified and faster administration procedures to re-enter an EU member state in which they were formerly residing. The categories of third-country nationals eligible for such privileges comprise in particular seasonal workers, and students who wish to receive training in EU member states and researchers. Talks are currently underway to re-launch the circular migration concept in the EU and a growing importance is being placed on *circular migration* being integrated into migration policy (Commission of the European Communities 2005; European Migration Network 2011). Therefore, at least two basic elements play a crucial role in formulating migration policies and strategies: the first one is the regulation of migration flows and, the second one concerns measures targeting migrants in host countries by placing emphasis on integration (Medica 2010).

"Win, win, win circularity": new interest in an old form of migration?

Underlying the idea of circular migration is that it can be managed in ways that bring proverbial *"win-win-win" results* (i.e. benefits for receiving countries through meeting labour market shortages, for sending countries through guaranteeing remittances for development, and for migrants themselves through offering employment and control over the use of their wages). Circular migration is also being advocated as a potential solution (at least in part) to a number of challenges surrounding contemporary migration. What are policy-makers suggesting, why now, and what should we bear in mind if circular migration is indeed to be the way forward in global policy (Castles 2006; Vertovec 2007; Medica, Lukič 2011)?

However, as with other kinds of temporary migration policies, there are a number of concerns to bear in mind when designing circular migration policies and the main point to note is that circular migration is nothing new. It is an old phenomenon, most notably demonstrated in internal or rural urban migration (Bedford 2009).

As Bedford points out:

> From the 1960s circular migration has been at the centre of debates about urbanization and development in Africa, Asia, the Pacific Islands, and parts of Latin America. What was recognized then, and must continue to be acknowledged in the contemporary European debate about circular migration and development, is that this is not a "new" form of mobility or

even a new debate. The focus has shifted from mobility and urbanisation in developing countries to population movement, labour markets and social cohesion in developed countries.

Fargues (2008) also calls it "a new interest in an old form of migration".

According to Castles the term "circular migration" is used positively by the GCIM (Global Commission on International Migration 2005), but does not appear to be defined in its Report (Castles 2006). Elsewhere circular migration is linked to the idea that "if migrants feel that a decision to return home is not irreversible they will be more likely to make such a decision" (Vertovec 2007). This can be achieved through "the introduction of flexible citizenship or residence rights". The idea is that migrants could then undertake repeated short periods of work abroad, increasing labour market flexibility and reducing permanent settlement (IDC 2004, 48).

According to Steven Vertovec, circular migration policies include very open questions, such as:

- Will migrants get 'locked-in' to modes of dependency and exploitative relationships with employers?
- Will 'circular' migrants work permits be non-portable (i.e. restricted to specific employers or sectors), thereby increasing chances of exploitation and lessening chances of socio-economic mobility?
- Will policy-regulated circular migration systems become closed labour markets, with limited opportunities for access among new would-be migrants?
- Will enforcement mechanisms become more draconian – since any temporary migration scheme will only function if migrants indeed return after their statutory period of employment?
- Since circular or other temporary migrants will be required to leave after short stays, will this preclude any kind of 'integration' strategies for them (including language training or information about living in the society of reception)? Consequently, will lack of integration strategies make more vulnerable, socially excluded and geographically encapsulated?
- Since they will have to leave after a time, will there be no chances for circular migrants to naturalize (and, in doing, gain dual citizenship which would help them 'circulate' more easily)?
- And even given creation of ideal circular migration policies and systems, will it not remain cheaper and less bureaucratically burdensome for employers simply to continue hiring undocumented migrants?
- A final question arises when considering the current popularity of circular migration in policy circles. Haven't such schemes, such as

the American *bracero* programme (1942–1964) and the German
Gastarbeiterprogramm (1955–1973), all been tried – and dropped –
a long time ago? (Vertovec 2007)

Therefore, in light of the above and in reference to circular migration,
the increased emphasis on integration reveals a contradictory aspect to
circularity. The latter, namely, signifies temporariness, inconstancy,
changeability, instability and, finally, uselessness.

The situation of "circularity" in Slovenia

The EU legislation, which sets the rules for Slovenia as well, is
engaged in an intensive search for long-term strategies and efficient
migration policy programmes. Various forms of coercion, administrative
measures, classic strategies and approaches to addressing migrations have
proved useless or even counterproductive.

The findings of and reflections on fieldwork carried out from 2008, are
in direct connection with social, economic, legal, safety and many other
reasons for and consequences of migration processes (Medica and Lukič
2011). As such, they are directly related to daily life in all social spheres.
Occupying the foreground of this complex topic are the processes of
globalization, low birth rate of the European population, economic crises
and recessions.

In practice, "outsourcing" and employment of workers on a temporary
basis with the presumption that they will return to their native countries,
which is defined as "circular migration", have proved to be a short-term
solution facilitating unlimited exploitation of workers. Involving non-
functional control and the migrants' inability to draw attention to their
incredibly poor working and living conditions and inadequate safety, in
particular in the construction sector, the circular migration model gives
rise to dehumanization and marginalization of migrant workers. Moreover
what has to be pointed out is the fact that migrants suffered from the crisis
even before the crisis, i.e. during the times of economic boom. The
economic and social crisis has only "strengthened" their uncertain
position, strengthened in the manner that will be labelled as the "*circulus
vitiosus* of migrant workers" (Medica and Lukič 2011).

In Slovenia, the major source of foreign labour force is the wider area
of former Yugoslav republics. Workers from former Yugoslavia are a
constant in Slovenia, and Slovenia is their country of destination. Their
inflow is the largest as regards the number of foreign workers; there exists
continuity in the establishment of contact; geographical proximity makes
their transportation to Slovenia the least complicated, and vice versa –

when no longer needed, they are simply sent back to their places of origin. The most numerous migrant workers come from Bosnia and Herzegovina, the former Yugoslav country with the highest rate of unemployment. Workers from new member states (Romania, Bulgaria) are present to a considerably lower degree, and those from the so-called "third world" countries to an even lower.

Despite the continuous influx, "circulation" and presence of a migrant workforce in Slovenia, little data are available on the social conditions of their stay and life, their value orientations, expectations, needs – in short: on the level of their integration into Slovenian society (Bešter 2003; Cukut Krilić 2010; Milharčič-Hladnik 2012; Pajnik 2007).

The situation in the labour market dictates an increased influx of a migrant workforce when necessary in relation to other economic factors such as increasing economic growth, declining unemployment, a small number of employments of EU nationals, an increased demand for workers, especially those who are scarce in the Slovenian labour market (construction, metallurgy, transport, catering, domestic work – *care drain*, services, agriculture).

Migrant workers are inadequately informed that they enjoy equal rights as their Slovenian counterparts. For the first two years they are dependent on their employers. Those who have worked for the same employer for two years and have at least vocational education are granted a personal work permit for a three‑year period. Moreover, the Republic of Slovenia has no regulations regarding workers' living conditions, which have attracted the most critical attention.

Integration: theory vs. practice

From a formal legal perspective, the foundations of Slovenian integration policy were set in 1999 with the adoption of the Resolution on the Immigration Policy of the Republic of Slovenia. The pluralist integration model as defined by the resolution of 1999 was further confirmed by the new Resolution on the Immigration Policy of the Republic of Slovenia passed in 2002. The latter outlined a pluralist (multicultural) model of Slovenian integration policy that guarantees immigrants equal inclusion in the Slovenian society while enabling them to preserve their cultural identity (Bešter 2003). The selection of a pluralist model seems appropriate, reasonable and feasible at the moment as it takes into account the actual multicultural character of the Slovenian society.

Furthermore, immigrants are granted the right to preserve their ethnic identity, culture and language. In Slovenia the prohibition of discrimination and equality before the law are ensured in accordance with the constitution, but there are still no specific programmes for active prevention of discrimination of immigrants in various areas of social lives.

It is still far too early to talk of any concrete results of the integration policy in Slovenia. The first step towards the expansion of social contacts in society could be Slovene language courses, an idea that seems to be of no interest to employers.

While there are certain activities performed to provide immigrants with aid in terms of inclusion into the Slovenian society, these are individual efforts made by a handful of non-governmental organisations (UNHCR, Slovenian Philanthropy, GEA 2000 Foundation, Jesuit Refugee Office, trade unions etc.), whereas there is still a severe shortage of coordinated government programmes (National Education Institute of the Republic of Slovenia 2009).

On 30 December 2010, the Slovene government adopted the *Economic Migration Strategy (EMS) for 2010–2020*. The word "integration" is used 67 times, while the word "productivity" only 4 times. The first impression is that appropriate integration policy ranks high on the Slovene EMS agenda. Yet such strategies often read as a list of grand-scale promises, which soon turn into empty ones and get lost in the daily struggle among different political interests. Unfortunately, there is only a small step from social isolation to political moralizing. How small that can be is evident from the case of a worker from Bosnia and Herzegovina whose physician told him that "you Bosnians keep falling ill so that you can misuse our health care system". Until recently, the lack of norms and regulations stipulating living standards in housing for construction and other (foreign) workers has enabled companies and private landlords to determine the conditions in which migrant workers had to live. A virtually radical change was witnessed on 9 September 2011 when the Official Journal of the Republic of Slovenia published the *Rules on Setting Minimal Standards for Accommodation of Aliens Who Are Employed or Work in the Republic of Slovenia*, which, naturally, improved the position of migrant workers and decreased their potential exploitation and the inhumane living conditions documented within this publication. Recently, the afore-mentioned issues have become extremely serious owing to the aggravating economic crisis and increased level of vulnerability of the population. The economic crisis, recession and above all unprofessional operation of construction companies resulted in financial breakdowns, bankruptcy and ruin of former construction giants in Slovenia. The last

interviews conducted among focus groups in worker residence halls in December 2010 and January 2011 revealed an incredibly small number of migrant workers. The majority of residents were workers who had worked for the bankrupt Vegrad construction company waiting to receive their last wages and living on food provided by humanitarian organisations (Karitas, Mali princ) and support provided by individuals. Despite all positive aspects of the new legislative measures (regulation of foreign workers' living condition, amendments to the *Employment and Work of Aliens Act*, adoption of the new *Aliens Act*), it has to be pointed out that the economic and social reality is ahead of migration policies and above all the public political legislation process.

The starting points for the formulation of migration policy in the EU and Slovenia indicate two basic approaches to migration management with regard to the economic aspects of migration. The first approach focuses on the regulation of migrant flows. The second approach targets measures concerning migrants who are already in the receiving state whereby integration is referred to as the most important instrument. In reference to circular migrations, however, the above stated gives the increasingly emphasised integration a contested circularity, moreover integration and circularity in praxes, in everyday life situation contradict each other.

Another danger with "circular" migration lies in a potential transformation of public policy into a means of supervision and exploitation of migrant workers. On the basis of the field work and direct interviews conducted with migrant workers we have arrived at three extremely alarming conclusions.

The first (tokenism) relates to the supervision of migrant workers in the context of "circularity" of migrations. Being aware of their substantial economic dependence on the employer, some migrant workers decide to become so-called "tokens"[3]. This unique practice, which we have characterised as "tokenism", aims at persuading workers that uncompromising loyalty is to their best interest, even though it is not – quite to the contrary.

The second is status granting as an instrument of extortion. This relates to the system of migrant circulation which has been changed by employers into a system of extortion with conditions being placed for the granting of a particular status or permit. During the course of the research we found several cases of this. The effect of this pattern is illustrated by the example below, which we identified in an interview conducted with workers from the workers' residence hall of the company Primorje d.o.o. on 5 October 2010:

> A person worked for four years and eight months at Euro stan
> nepremičnine d.o.o., where the employer paid all his contributions and
> registered him. Then he was transferred to another company, where he has
> not been registered, even though the employer keeps promising him for
> some time now that he will do so. He is only four months away from the
> right to permanent residence and he would like to know what he can do.
> Another worker from the same company told us that the employer
> threatens him that he will destroy his visa and will not pay him the money
> he owed him… This company does not pay its workers regularly.
> (Izola, Workers' Residence Hall of Primorje, d. o. o., 5 October 2010).

The third is the growth of a parallel migration market, which derives
from the actual treatment of the problem of circular migration. A parallel
migration policy was formulated during the period of intensive economic
growth just before the economic and social crisis. This particular policy
may be defined by the aforementioned pattern of extortion of workers by
exploiting the rules for the granting of certain long-term statuses. It can be
regarded as an informal, quasi-personnel migration policy mainly
implemented by employment agencies.[4] According to the Labour
Inspectorate of the Republic of Slovenia, the latter are often not registered
at all (Labour Inspectorate of the Republic of Slovenia 2009).

One of the most extreme implications of this system is illustrated by
the example of two workers from Bulgaria, which was documented in
August 2010. Before they came to Slovenia, an employment agent
promised them great earnings. The workers said that they worked without
payment for a full month, from morning till evening. It was only when
they tried to find their employer that they realised he was gone. The two
Bulgarian workers returned home with the assistance of the Bulgarian
Embassy, and their employer disappeared without a trace. On the other
hand, such a system brings the purported "employers" enormous profit.

As has been revealed in our interviews with workers, their
"employers" treat them as slaves for which reason workers begin to
identify themselves as "slaves" as well.

The main reasons that make people migrate are the sheer economic
necessity as well as greater economic profit, whereas employers perceive
migrants as cheap labour in the market. On this basis, a migrant's public
identity has more or less become encapsulated in the image or stereotype
of a cheap (construction) worker.