“They came here to work”.

The production of precarity and irregularity within the Romanian migration infrastructure

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Abstract

This qualitative research project examines the recent labor migration of South-Asian migrants to Romania, focusing on mapping the migration infrastructure that emerges in a country usually thought of as an emigration country rather than an immigration one.

Based on interviews with actors within the migration infrastructure and (non-) participant observation undertaken between January and April 2024, this study investigates (1) the forms of precarity produced by the current structural configuration, which immobilizes migrants in insecure, irregular workplaces where the threat of deportation looms large; it explores how (2) "imaginaries" of "Romania as a European country" shape migrants' motivations to embark on this journey, and it also discusses how (3) migrant workers are "cheapened" firstly by concealing off-shored social reproductive processes that allow them to come and do the work they do, and secondly through forms of othering and essentialization that enable their exploitation. Taken together, my research describes a new, yet familiar story of accumulation, within reconfigured labor frontiers.

Lastly, in the context of this "new immigrant destination", with its particular positionality at the "periphery" of Europe and with its (partially Schengen) border regime, this ethnography aims to document (4) how migrants forge livelihoods despite the structural odds and imagines possible ties of solidarity between South-Asian and Romanian migrants, who share different, yet parallel migration histories.

Keywords: labor migration, precarity, "illegality", racialization, coping tactics

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“There has never been a moment in modern European history (if before) that migratory and/or immigrant labor was not a significant aspect of European economies.”

(CJ. Robinson, 1983, p. 23)

“But the future, I don’t think it will be otherwise...Only with [foreign] labor force.
Because we don’t invent the wheel; (..) things which developed countries –
Germany, France – are doing, who imported massively from Eastern Europe...
I have a friend, he has a saying: fools don’t die, they change.
Who’s the fool in this situation?
Well, we were the fools of Italians and Germans”

(interview with a Romanian employer, April 2024)

Introduction

I met Asanka[1] one Sunday in early February, as I was doing my (back then) aimless trips around the city, looking for openings into a "field" I had no prior access to. Every other day, while waiting for my bus on a street named after a war criminal[2], I would check the latest news articles that wrote about "foreign workers". I would read and roll my eyes at yet another sight of news outlets such as "Stock Market Newspaper", "Economedia", "Wall-street.ro" or the "Financial Newspaper", all writing with the same business-centric twist. I wanted to know about people's lived experiences beyond them being framed as a great solution to the nation-wide labor shortage.

Dressed in black and with a pen pinned at his neckline, which he had a habit to forget there even on his free days, Asanka was waitering at a small restaurant in the crumbling and congested city of Bucharest. I was about to pay for my order when we started a little chit-chat around food, which I subtly tried to move in the direction of work. It might have been less discrete than I imagined because he bluntly asked "Oh you're a kind of researcher or something?" Although it was not something I wanted to conceal, his directness startled me and made me smile. "Yes, I'm a kind of researcher", I probably said. This is how our friendship began, and how I came to learn about his experiences as a migrant worker in Romania.

My research project sprouted from the very broad question of 'how is it to be an immigrant in Romania, which is usually thought of as a country of emigration'. As it was a novel phenomenon unfolding in the country I happened to grow up in, I was curious to

[1] All names in this thesis are pseudonyms, as the researcher has a professional and moral responsibility to protect her respondents and respect their privacy.
[2] https://context.ro/cum-s-a-mobilizat-extrema-dreapta-din-romania-pentru-reabilitarea-unui-criminal-de-razboi-cazul-mircea-vulcanescu/

understand how these people were faring in a society whose migration infrastructure was only now starting to take shape. Aware of migration literature, as well as of biographies of Romanians abroad, both which are laden with hardship, I set out to map the emergent Romanian infrastructure and the actors within it, and how they shape this new mobility. Inspired by critical news articles who have pointed towards this, my main question was what forms of precarity do "third-country nationals" (TCNs) coming from South-Asian countries experience in Romania. While having this question into focus, I was also curious to know how people are coping with the insecurity, and whether any kind of solidarity emerges between TCN migrants and national Romanians in this new context. With this framework in mind, I conducted fieldwork in Romania from January 2024 to mid-April 2024, and wrote this master's thesis, drawing from the data I collected. This wouldn't have been achievable without the generosity of my interlocutors, who offered some of their limited time to allow me a glimpse into their world.

Thus, the following chapters provide an ethnographic account of the Romanian migration infrastructure as it appeared in 2024, before and shortly after the partial accession to Schengen. After a short methodological section, the first chapter sets out to contextualize the migration infrastructure and the "imaginaries" that fuel this mobility. The second chapter zooms in on the particular legal configuration that concerns TCN workers and its material implications that compound migrant precarity. Particularly, it examines how the intentional legal innovation of the Release Letter functions to govern the im/mobility of migrants, and also shows how the institutional framework works to further push people into "illegality". Furthermore, the third chapter will show how migrants are constructed as a "cheap" workforce" through the concealment of off-shored social reproductive processes, and how, together with forms of racialization, normalizes and enables a set of abusive practices, such as wage theft, improper accommodation and racialized workplace hierarchies. Lastly, the

fourth chapter will illustrate how people forge a livelihood for themselves against the structurally-produced precarity, and point towards politically-relevant commonalities between South-Asian migrants and Romanians.

Methodology

The research design was guided by two theoretical premises, namely the concept of migration infrastructure, and that of multi-scalarity. Firstly, Xiang and Lindquist (2014) argue that migration, and especially labor migration, has become "intensively mediated", which requires a more holistic inquiry into the migratory process, than just looking at the trajectory or behavior of a person going from origin-country to destination country. Defined as "the systematically interlinked technologies, institutions, and actors that facilitate and condition mobility" (p. 124), migration infrastructures could be broken down into five dimensions which, they underline, should be taken more as "logics of operation" rather than discrete domains (p. 124). These 5 dimensions are: "the commercial (recruitment intermediaries), the regulatory (state apparatus and procedures for documentation, licensing, training, and other purposes), the technological (communication and transport), the humanitarian (NGOs and international organizations), and the social (migrant networks)" (p. 124).

Therefore, to understand this particular migration in its mediated complexity, I strove to map these five dimensions by interviewing different actors who pertain to these different realms (the commercial, the humanitarian, and the social) and by collecting information about the state's immigration legislation (the regulatory). The commercial realm was represented by employers and recruiters, the humanitarian by representatives of an NGO and an international organization, and the social dimension refers to the migrant workers themselves and their communities. The technological dimension - "the most obvious element of migration infrastructure" (p. 135) which comes in the ubiquitous form of information and

communication technology (ICT) and which is deeply entangled with other dimensions, such as the regulatory dimension - will be underdeveloped in this project. Because of that, it's harder to decipher, for example, the exact ripples that surveilling software have in the migration infrastructure (see for example Feldman, 2011), such as the "eDAC" app, which was recently launched by the Immigration Police to check people's documents more easily.

The 'migration infrastructure' perspective works well with a multi-scalar lens. Drawing from extensive debates on the concept of "scale", Çağlar and Glick-Schiller utilize multi-scalar as "as shorthand to speak of sociospatial spheres of practice that are constituted in relationship to each other and within various hierarchies of networks of power (2018, p. 8). However, the emphasis is less on the hierarchy, and rather on the interconnectedness of "institutional relations of unequal power" (Çağlar & Glick-Schiller, 2021, p. 44). Thus, this transcends nested understanding of scales or macro-meso-micro descriptions, and rather maps out how social processes happening in different social fields impact one another. Ultimately, what is methodologically fruitful about a multiscalar approach is the possibility for relational comparisons. Similarly, Xiang (2022) asserts that "a multi-scalar framework positions transnational processes as constellations of actions at the local, national, and global scales, each of which has its own structure and dynamics" (p. 47). This approach illuminates the historical and structural positioning of the case, serving as a valuable tool for organizing and analyzing various actors with diverse positions and power dynamics (p. 47).

As a result, this project draws from twenty in-depth semi-structured interviews with various people occupying different positions within the migration infrastructure: eleven migrant workers, two of them also being key members in their communities[3]; four recruitment agents[4]; three employers; two representatives of the 'humanitarian dimension',

[3] By key members, I mean migrant workers who also had other roles in their community. In my case, this meant one priest and one community organizer, who both had an overview of people's lives.
[4] I use "recruiters", "recruitment agents" and "brokers" interchangeably.

from IOM Romania and JRS Romania NGO. Lastly, I have also interviewed a labor union researcher, who explained the current logic of Romanian labor unions and how that transfers to (not) advocating for migrants' rights. Interviews were complemented by equally important field notes based on participant and non-participant observation in key places or at specific events catering to migrant communities.

Although I sought to understand the migration infrastructure in its polyvocal entirety, my project was migrant-focused, honing in on how migrants interact with the migration infrastructure at large. Thus, out of the eleven interviews, six are Sri Lankan Singhalese, one is Sri Lankan Tamil, and four are Nepali. To avoid an "ethnic lens" (Glick-Schiller et al., 2006), I chose not to focus on a particular national community. However, I chose to look at the migration of people coming from South-Asian countries, because of the novelty of these routes to Romania and the fast pace with which they are developing. Additionally, given the exploratory[5] nature of my project, my sample is not based on a particular industry and instead showcases a diverse array of jobs ranging from factory workers, delivery workers, waiters, cooks, and housekeepers.

As Zapata-Barrero and Yalaz point out, when it comes to studying migration, qualitative research is "good at unpacking the category of migrants and examining the crosscutting and intersecting identities" (2022, p. 417). This kind of method enables us to see how certain categories are socially and politically produced and then to look at how these categories are perceived and experienced in everyday life (p. 420). In light of that understanding, throughout this thesis I use "migrant" not as a reductive label that essentializes individuals, but rather as an analytical tool to understand structural conditions and policies that differently shape these people's realities (see Anderson, 2015, for an

[5] What I mean by exploratory is that, considering the penury of research focusing on this particular labor migration into Romania, my project wasn't concerned with solving specific dilemmas or analytical puzzles. Instead it focused on gathering preliminary insights about the case.

example of how the answer to the question of "who is the migrant" is political and thus, heterogenous).

Furthermore, choosing interviews as a methodological tool was motivated by the understanding that they can offer a glimpse into "respondents' experiential and interpretative worlds" (Fedyuk & Zentai, p. 176). At the same time, interviews enable the researcher to "refocus and adjust the scope of inquiry" (p. 179), as they unfold, which created space for my interlocutors to mold the research agenda with their main concerns. Nevertheless, besides migrant workers, I have also interviewed brokers and employers, which possess relative power within the migration infrastructure compared to the workers. For that reason, "interviewing up" (Puwar, 1997) brought up a different kind of power dynamic which I had to swiftly navigate while on field. This sample consisted of the people who responded to my email invitation and subsequently made time for an interview. Hearing their perspective on this migration, allowed me to better chart not only the migration infrastructure more thoroughly, but also the moral economies it produces.

This necessitates a note on my positionality, which involves reflecting on both my role as a researcher and my position in this field as a white, middle-class Romanian woman. Firstly, to ensure transparency and foster trust among my interlocutors, I made my position as a researcher clear from the outset. My status as a student likely made me seem non-threatening, particularly to those in power such as employers and recruiters, increasing their willingness to engage with me. Secondly, researching a predominantly masculine field as a woman presented challenges, at least initially. Before I established rapport with trusted interlocutors, gendered interactions were a regular, tricky experience. Rapport was also predicated on language considerations, as I was only able to befriend or engage with people who felt comfortable expressing themselves in English. Both of these issues have shaped my data collection, and marked both the kind of information I can access and the knowledge I

can produce.

Finally, in view of my status as a white Romanian citizen, I strove to use my privilege to assist interlocutors in the ways they requested me to, whether it was by teaching Romanian classes, translating documents, or accompanying them to state institutions. Equally, my interconnected personal and political values have shaped my research approach, as I tried to remain self-reflexive of my positionality and to prioritize the well-being of my interlocutors, especially of migrant workers, whose stories are the foundation of this project.

CHAPTER 1 - EMERGING LABOR FRONTIERS

1.1 Setting the scene

The constant economic growth in the last 20 years in Romania (World Bank, 2023) in conjunction with the continuous out-migration and intra-European mobility of Romanian citizens and nationwide depopulation trends, have materialized into new forms of immigration into Romania. In this context, the government has increased yearly the quota of work permits for foreign employees, from 20,000 in 2019[6] to 100,000 in 2024[7]. These numbers[8] stem from the vacancies declared by employers nationwide, they are fixed at the beginning of each year and represent the number of work permits that the Immigration Offices (IGI henceforth) can issue in the respective year. Although these quotas have never been exhausted, due to bureaucratic shortcomings, they signal a growing and constant recruitment of foreign employees, which has especially increased with the legislative change that allowed employers to pay TCN workers the minimum wage, instead of the median wage,

[6] https://igi.mai.gov.ro/guvernul-a-aprobat-un-contingent-de-20-000-de-lucratori-nou-admisi-pe-piata-fortei-de-munca-in-anul-2019/
[7] https://igi.mai.gov.ro/100-000-de-lucratori-nou-admisi-pe-piata-fortei-de-munca-din-romania-pentru-anul-2024/
[8] A detailed table on the yearly progression of permit quotas, issued work permits and residence permits can be found in Appendix 1.

as it was stipulated before[9].

This increase is meant to tackle the existing labor shortage all across the economy, but most permits tend to be offered for unskilled or semi-skilled jobs in construction, delivery work, and hospitality. Foreign employees are also commonly found in factories, recycling plants and garbage disposal facilities, in warehouses, supermarkets, and in private homes for care work. Since these vacancies are not filled by Romanians, with 3 million residing in other European countries[10], many employers have turned to employ migrant workers, who mainly come from South Asian countries, such as Nepal, Sri Lanka, Bangladesh, Pakistan, or India, which have little to no migration history to Romania. However, the reality of 38 million South-Asians living abroad as labor migrants (Rajan, 2023, p. 3) reflects a broader migration pattern, similar to Romanian labor migrants moving to Western Europe. And while there is plenty of literature on South-Asian migration to "traditional" destinations such as the Gulf countries (De Bel-Air, 2018) or East-Asian countries (Chanda, 2012), as of yet, there is little to no research about the experiences of South-Asian migrants in Romania (see Kiss & Toro, 2020; Roșca, 2021 for examples of emerging research).

According to the IGI chief officer, at the end of April there were 213.000 citizens with "legal right to stay" in Romania, with almost 70% being TCNs[11]. Most of them find themselves in and around larger cities such as Timisoara, Constanta, Arad and Cluj-Napoca, with the municipality of Bucharest harboring around 30% of the TCN workers[12]. Currently, the largest communities forming out of this economic migration are the Nepali and Sri Lankan communities, followed by Indians, Bangladeshi, and Pakistani migrants. As these

[9] https://lege5.ro/gratuit/gm3tambwgqzq/incadrarea-in-munca-a-cetatenilor-straini-evolutie-si-implicatii-practice - see Law nr. 247/2018

[10] https://ec.europa.eu/eurostat/web/interactive-publications/migration-2023#european-melting-pot

[11] The statement of Liviu Bute can be found in this interview: https://www.dcnews.ro/de-ce-acte-au-nevoie-strainii-care-vin-sa-munceasca-in-romania-chestor-liviu-bute-au-90-de-zile-de-la-expirarea-contractului-in-care-trebuie-sa-si-reglementeze-sederea_958829.html

[12] Same as previous source.

migration routes shift over time, it is difficult to predict how these communities will develop in the future. The nationality mosaic of migrant workers is contingent on many variables, such as immigration laws, employer biases, or the resources that people can mobilize, to name a few, and all of these factors are further sensitive to different global opportunities carved out by new accumulation regimes.

Nevertheless, this migration doesn't represent an exception in the region. This recent increase in Romania aligns with a broader trend of recruiting migrant labor in Central and Eastern Europe, which is expected to continue growing (Oltean and Găvruș, 2018). A review of Eurostat data done by Friedrich Ebert Stiftung Romania[13] highlights how Romania is becoming a "destination for economic migration", alongside other countries in the region, such as Croatia or Poland (Mendoza, 2020). In fact, it shows that Eastern Europe registered a higher increase in work permits issued for TCNs than in the Western region. For example, in 2022, Romania issued 56% of all the EU's permits for Sri Lankans (about 5200) and 22% of the ones for Nepali nationals (6700), highlighting Romania's emergence as a new destination country (NID).

1.2 Why are people coming to Romania?

Although there is little consensus on defining a NID, Winders (2014) suggests it has three characteristics: a rapid migrant settlement, exemplified by the swift increase in work permits; an insufficient, if not deficient institutional backbone handling this migration, represented by the reduced personnel of IGI, as well as by the absence of NGOs working on this specific issue; and lastly, a lack of histories of migration settlements in Romania, which at least in the recent history, has been more an emigration country, than an immigration one.

If we accept this characterization, then the relevance of looking at Romania as a NID

[13] https://monitorsocial.ro/indicator/romania-devine-o-tara-de-destinatie-pentru-migratie-economica/

stems from the opportunity of placing it into a wider, global scale of analysis and comparison with other post-socialist countries currently developing as NIDs. Certainly, since these NIDs are "as responsive to geopolitical waves as they are to labor markets" (p. 168), they serve as analytical starting points for larger processes of capital accumulation and shifting labor frontiers.

This leads us to the question of how come Romania is becoming a NID in the first place. The answer will vary considerably depending on who the question is being asked to. Especially if you take mainstream media at face value, they will offer you explanations reminiscent of outdated theories of migration that draw from neoclassical economic theories. One such example would be the "push and pull" understanding of migration, where the 'push' factors would be the lower salaries or lack of jobs in the origin countries, while the 'pull' factors would be Romania's labor shortage. In fact, this is the kind of view that recruitment agents would mostly espouse.

One recruiter from Nepal, who came as a worker and now was leading a recruitment agency together with a Romanian, explains that people want to come and will continue to come to Romania

> because everybody wants to earn more and more money. And in Asia… what happened in Sri Lanka, they [the politicians] bankrupted the whole country, and they [the people] started to move to other countries. Like in Nepal also, there is no political stability, and no job guarantee.

His Romanian counterpart illustrates what he thinks are the 'pull factors': "A lot of foreigners would prefer to move in here! (..) Why?! Breathable air, first and foremost. Much better access to healthcare than in their own country! Security! Social security that there, they don't have it! A different regime - democracy!" Nevertheless, as O'Reilly (2023) points out, these theories often rely on a rational choice model, oversimplifying migration decisions by focusing solely on cost-benefit analysis and overlooking other crucial factors like

intermediaries, states, and broader structural influences, which I will discuss later.

Another popular theory is the dual-segmented labor market theory. Piore (1979) describes a "primary labor market" in developed countries as offering stable, well-paid jobs for domestic workers, contrasted with a "secondary labor market" characterized by low wages, seasonality, and job insecurity, often filled by migrant workers. Recruiters and employers offered various vernacular versions of this theory. For instance, one employer who managed a large waste management business by the seaside, struggled to hire locals due to the job's perceived low status and the availability of more desirable options, especially during the summer season.

However, a job that is perceived more positively doesn't necessarily make it preferable. As one restaurant manager acknowledged, to work as a waiter or as a kitchen helper is hard, and "not only physically but also psychologically. (..) In the summer there are 40 degrees, you have to be in uniform, you have to be standing for hours on end, to smile and be nice, even when somebody annoys you." For that reason, despite its strategic position in the city center, this business would also struggle to find people, which they further articulate:

> If tomorrow I would throw out all the foreign workers, I can guarantee that I would not find Romanians to replace them, under the same conditions. (..) Before you can hire a foreigner, you need to place an ad in the paper, to offer first a Romanian the opportunity to be hired (..) I never received a phone call for any ad (..) or I receive a lot of calls but nobody shows up at the interview.

If we solely consider the dual market theory, it would seem simple to explain why locals are not showing up for interviews: many are likely already employed or en route to Western European countries, doing jobs they would not accept in Romania. In 2014, restrictions on the free movement of workers from Romania and Bulgaria were lifted, enabling them to seek higher-paying work abroad. Currently, the minimum net salary for a full-time job in Romania ranges from around 2079 RON (419 EUR) in most low-wage

sectors to 3196 RON (642 EUR) in construction. Despite forthcoming increases[14], it remains uncertain whether this minimum wage is enticing to a workforce with access to higher wages in countries like Germany, Italy, or Spain, where significant Romanian immigrant communities exist. Furthermore, considering the minimum wage in relation to the minimum expenditure basket (MEB), which in 2023 amounted to about 756 EUR for a single adult and 1650 EUR for a family with two adults and one child (Guga, 2021), underscores the rising cost of living in Romania and the inadequacy of the minimum wage for a decent standard of living.

Nonetheless, as countless critical scholars would remind us, looking at this migration solely through the lens of neo-classical economic theories and its more updated versions runs the risk of oversimplifying this phenomenon (O'Reilly, 2023). Seeing everything through a "supply and demand" logic overlooks not just the structural forces driving demand, but also the personal, cultural, and political histories that shape people's motivations to migrate to a particular place, alongside conjunctural opportunities. Therefore, this insight should shift our perspective and direct our attention to the 'imaginaries' that influence people to come to Romania.

1.3 On freedom, perfect hours and other imaginaries of Romania

Subhan is a 32-year-old man from Nepal, who used to work for an anti-trafficking NGO, and then in his father's car workshop, which they lost during the 2015 earthquake that displaced his family. He then tried to set up another business, but that didn't go well, and the loan that he took out was starting to weigh on his shoulders. That's when he went to a local agency and they mentioned Romania as an option. It was 2019 and "at that time we don't have much talk about Romania in Nepal. Most people they don't even know where is

[14] https://www.startupcafe.ro/taxe/salariu-minim-brut-majorare-iulie-2024-net-proiect-hg.htm

Romania. If it is a part of Europe, OK, let's try this".

Although he never migrated before, he had entertained the thought of going to one of the Gulf countries that are among the more common migration routes. When I asked him what made him pick Romania, he went on animated, as if it was commonsensical:

> Maybe there are more options but because Romania is a part of Europe…It is Europe! (..) We hear lots of things about Gulf - there is like, no freedoms. There's a risk. There's like lots of problems. (..) And when we hear about Europe, Romania I mean, I thought it's a kind of safe place, like a freedom".

It was one of the last days of my fieldwork, so it was not the first time I heard such an explanation - Romania, as part of Europe, was symbolically and materially significant for my interlocutors.

Beyond structural political-economic forces that influence labor frontiers and therefore how and where people move, migration also has a lot to do with imagination. Salazar (2020) makes a distinction between imagination, as a mental process, "both individual and social", and *imaginaries*, which he defines as "culturally shared and socially transmitted representational assemblages" used by people to "act, cognize and value the world" (p.770). With the onset of globalization and its unprecedented flow of information (Appadurai, 1996), these imaginaries are malleable on concurring media representations, political discourses as well as longer contested histories. Thus, in this context, Romania becomes a desirable place because of its association to Europe, usually perceived as similar to Western Europe, which is set against the 'less desirable', non-European spaces.

During our first encounter, Asanka explained to me why he gave up an already certain work permit to Maldives, when Romania surfaced as an opportunity:

> I choose Romania because I like the European lifestyle, yea! Everything! The way of dressing, the way of eating, in my country, we think it's the cleanest, that this is the hygiene. But we came to Italy, we came to Romania, and all the entire Europe, this is the

cleanest! So many reasons why I like Europe.

Imaginaries, of Europe in this case, contribute to shaping people's aspirations and their choice for a particular destination (Seiger et al., 2020, p. 18). Despite a steadily growing community, almost all the people I spoke with told me they didn't know anyone in Romania before going there, in comparison to other, more established destinations they could pick from. Thus, going 'off the beaten track', entailed some risks my interlocutors were willing to take, driven by the imaginary that Romania equals Europe, and Europe equals a myriad of positive realities such as freedom, cleanliness, and even functional labor regulations. Asanka goes on: "In every European country, they have a labor law! (..) They have the perfect hours to work, perfect treatment about money, about everything". Nipun, another interlocutor, explained to me that "Romania and some developed countries have a minimum wage for a salary, for an hour. But in Sri Lanka, we don't have that one. Company gives what they want."

In a similar study about Nepalis going to Malta, Neubauer (2024) conceptualizes this as "a spatial imaginary spillover: a cognitive transfer of place-specific imaginaries from one place to another, via a bridging meta-concept connecting both: Europe" (p. 9). Therefore, as long as Romania was in Europe, the expectation was that by going there, one could enjoy the fruits of European 'progress'. Certainly, there was plenty of "developmental idealism" (Thronton et al., 2015) in the justifications people were offering me. The countries where people found themselves were hierarchized according to their imagined proximity to the most developed countries in the Global North. This bears resemblance to Belloni's theorization of "cosmologies of destination" (2020) that tries to capture how "images about the outside world are connected to a normative scale of values, expectations, and meanings which influence migrants' and non-migrants understanding of their own position in the world" (p. 558). In her ethnography on Eritreans at home and abroad, she also notices how this scale of

preferences is “embedded in a global developmental logic” (p. 561).

To be clear, this developmental logic was not simply something exclusive to migrants but permeated large swaths of this migration infrastructure. By this I refer to how employers and recruiters championed their own imaginaries which had real-life consequences for the migrants, which I will touch on in the third chapter. However, before that, we’ll have to jump scales again, because while imaginaries might be stimulating this labor mobility to Romania, our understanding would be incomplete without looking at how these people’s trajectories are determined by a specific migration and border regime.

1.4 What’s in a migration regime?

In contextualizing this labor migration, it would be incomplete to not consider Romania’s positionality within the EU migration regime. Glick Schiller and Salazar’s (2013) use of the word ‘regime’ calls attention to “the role both of individual states and of changing international regulatory and surveillance administrations that affect individual mobility” (p.7). Similarly, Mezzadra and Neilson (2013) nudge us to look at migration regimes in a way that takes into consideration the current nature of capitalism, whose “processes of financialization and the combination of heterogeneous labor and accumulation regimes, negotiates the expansion of its frontiers with much more complex assemblages of power and law, which include but also transcend nation-states” (p. 5-6). In other words, how the Romanian border works is less territorialized and more determined by larger scales, such as the EU migration regime.

Nevertheless, since migration regimes shape the national configuration of labor and immigration legislation, they also determine the degree of accessibility of certain destinations. Not having to learn the language, seemingly smoother bureaucratic procedures, and especially what, in comparison to other destinations, was a lower price of the whole

recruitment process were all factoring in the people's decision-making. Nipun, who used to work as a video editor, and graphic designer and who also oftentimes taught at the local university in Sri Lanka recalls the steps preceding his migration to Romania:

> Firstly I look for Canada, how much it costs for studying. (he laughs). It's high cost, (..) So again, I took a map and (makes a swiping gesture) - UK, New Zealand, Sweden, Norway, blah blah blah, Germany! Sometimes I had language problems. For example, for Germany, you need to learn German. (..) So (..) I took the map again - What is the country I can go to…Dubai, Saudi, Kuwait (..).... Poland! It's also...a Schengen country, so it's a little bit hard to go from Sri Lanka to Poland. (..) Then I choose some countries, Romania, Lithuania, also.

A key point in this context would also be how migration regimes are permeated not only by neoliberal capitalist relations but also by post-colonial histories and connections, as Samaddar clearly outlines (2020, p. 76). Similarly, Delgado-Wise reminds us that "it is impossible to disentangle the migration and labor question today without a deep understanding of the nature of contemporary capitalism, namely, neoliberal globalization" (2013, p. 25). In a concise account of the current capitalist arrangement and its neocolonial undertones, he lists unequal development as the catalyst and self-sustaining mechanism that produces the social inequalities, systemic violence, and human insecurity that determine the migration of dispossessed people. This creates the "reserve army of labor" on which neoliberal capitalism depends, whose flexibility and the temporariness enable capital's reproduction. Reflecting on how Romanians themselves serve as the "reserve army of labor" for Western Europe, can partly answer the question why Romanian employers are now turning to the global reserve army.

For Samaddar (2020), however, the production of migrants, or living labor, is not solely a result of "accumulation by dispossession" as highlighted by Delgado Wise. Rather, it stems from an imbalance between economic and political strategies of protection. In Europe, this manifests in guest-worker schemes like the one emerging in Romania, which streamline the labor market, alongside political rhetoric reinforcing borders against irregular migration.

This is epitomized in EU-wide calls for "managed migration," echoed in governmental decisions, emphasizing the need for efficient immigration management. As Mezzadra and Neilson note, migration regimes, including this one, are fueled by the fantasy of "just-in-time" and "to-the-point" migration (2013, p.172).

The literature on migration regimes makes explicit how “mobility can only exist in relation to structured immobility, and the two emerge as products of the same regime” (Baker, 2016, p. 153). This is outlined in two ways: on the one hand, the literature blatantly captures the double standards between the liberalization of migration for EU nationals and the solidification of external borders (Pijpers, 2011). The neoliberal fiction of the “freedom of movement” and to work wherever in the EU – or differently put, the “lack of freedom to withhold one’s labor” (De Genova and Peutz, 2010 as paraphrased in Seiger et al., 2020) – only applies to citizens of the member states, as long as they are not Roma (van Baar, 2011). In Romania, TCNs encounter not only distinct immigration and employment regulations constraining their movement within the EU but also “temporal borders", represented by “deadlines and time limits which impact on migrants’ lives and geographies” (Tazzioli, 2018, p. 3). For example, officially, holders of the EU Blue Card experience a 15-day processing period for extending their residence permit, whereas for all others, it is 30 days, with the option to extend the resolution for an additional 15 days.

For the migrants coming to Romania, the (im)mobility regime is cemented by the Emergency decree nr. 143, which was adopted in December 2022. As discussions about Romania and Bulgaria joining the Schengen zone were unfolding and later failed, employers and recruiters anticipated the potential impacts the accession would have on foreign labor retention. In that context, which changed in April 2024 with Romania’s partial accession, employers and recruiters lobbied for a bureaucratic change supported by local trade unions. This decree mandated that foreign employees cannot change jobs within their first year in

Romania without the written consent from their previous employer, essentially instituting a form of "contract slavery"(Jureidini & Moukarbel, 2004) evocative of the the kafala governance system found in Gulf countries (Parreñas & Silvey, 2021), but also of other binding legal frameworks existing in the Global North (see Allen & Axelsson, 2019, for an example from Canada).

This emergency decree was translated by the migrants into what they referred as the "Release Letter", of which there is 55B, "the best release letter", 31B, and 81B, with which "you cannot make a work permit". As Scott and Rye (2023) demonstrate, "capital often requires labor that is both mobile (fixed across space) and immobile (fixed in place)" (p. 1). They argue how this mobility-immobility dynamic is "one of the major contemporary mechanisms of labor control and thus key to valorization" (p. 6). In this case, the migrants are mobile in the sense of being able to migrate to another country, but once they arrive, they are anchored there, in order to be made productive, which is harder to do with Romanian citizens, who can move more freely across the EU. Essentially, what the immigration regime tailored for TCN workers does is produce their labor power into a commodity (Mezzadra & Neilson, 2013, p. 20-21), so conveniently extractable by employers.

One of the recruiters makes that clear when he complains about how volatile, thus unreliable, Romanian workers are:

> You go catch a train, bye-bye! You don't need a passport, you don't need ID, you don't need a visa, you don't need a work permit, you don't need a residence permit, you don't need all those documents that keep you there! (..) Now a foreigner in the first year, he cannot leave! Without the resignation letter from the company, if he doesn't receive the release letter and the agreement that 'ok we agreed to finish the job', that person cannot go to another company and get hired!

This statement predates Romania's partial accession to Schengen, by 'water and air'. Most of my interviews with recruiters occurred prior to this change, allowing me to

foreshadow the potential challenges they anticipated with Romania's Schengen accession. The Nepali recruiter, with experience in manpower recruitment for Croatia, which already joined Schengen, expected noticeable difficulties: "For some time, few months, the people will be filtered." While the exact impact of the partial Schengen accession on TNCs and recruitment remains to be ascertained, both recruiters and workers were bracing for changes. Certainly, this change was not taken lightly, as a recruiter I spoke to after the change let me know:

> The fact that they (..) are free to go to other states, with their residence permit, on holiday…From my point of view, and not only my point of view, is very wrong! Because they will leave the country! (..) They don't care if they work legally or illegally, they just want to leave. And this is a very bad thing if we cannot do anything to them, to oblige them to work here for at least 2 years.

But how easily can an employee move from one place to the other?

CHAPTER 2 - MAPPING FORMS OF PRECARITY

It was a disturbingly hot day for the middle of April and we were in our third taxi, moving painfully slowly through the Bucharest traffic. Next to me was Asanka, whose phone was ringing with calls from a worried mother and girlfriend. I was also concerned because I didn't know what to expect from the next institution we were going to interact with that day. We had already been to the Labor Inspectorate to file a grievance against his former employer, and now we were heading towards the Immigration Office, as advised by the lawyer working pro bono on this case.

Notwithstanding the heat, sleep deprivation, and the developing gastritis Asanka was grumbling about, the mood was not that dismal. We were encouraged by how unproblematically things had unfolded at the Labor Inspectorate: the women clerks were sympathetic and did their best to reply to my streak of questions such as whether we could

attach some screenshots as evidence to the grievance. “They are in Sinhala, but it’s the only proof my friend has”, I pleaded. The lady told me matter-of-factly that they couldn’t do much with them because they neither had translators nor would they pay for those screenshots to be translated. Nevertheless, they accepted his grievance and wished him good luck.

The taxi arrives in front of the downtown Immigration Office. We get out and I prepare myself for the last part of The Plan the lawyer instructed us to follow. Asanka had just left an abusive work environment, and did so abruptly, without formally resigning, which meant he didn’t have a bundle of documents that were crucial for his reemployment, such as the Release Letter from his former employer, who had a habit of withholding documents. He was “on a slippery slope legally speaking”, as the lawyer put it, and her suggestion was to alert relevant state institutions - Labor Inspectorate and IGI - hoping they would help Asanka retrieve the documents he needed to work legally. However, there was a lot more at stake than just getting another job. Since his right to be in Romania hinged on his employment, not having a job, and being unable to secure another one because of documents his former employer didn’t give him, put him at risk of deportation. Or so we thought.

In the small courtyard, we greet a young man, on whose t-shirt you couldn’t miss the bright large letters that said *IMMIGRATION POLICE*. I try to describe as calmly as possible why we are there, namely to report work abuse and ask for their help in safeguarding Asanka’s legal right to stay and work. Unimpressed, he asks in Romanian for his documents, which Asanka offers without waiting for my translation. “How come you know Romanian so well after only 8 months of living here?!” the officer inquired quizzically. We follow him inside and wait as he checks his ID and tells us he’s already illegal, only to correct himself and say he is in fact legal, but has a fine to pay to IGI.

I hardly can swallow the instant lump in my throat that formed with the utterance of “illegal”, and reiterate why we are there and why we need the institution’s help in retrieving

this Release Letter, which the former employer told Asanka and his colleagues they need to pay 6000 RON if they want "the good one", a clearly unlawful bargain. "You don't need that anymore," he says bluntly. I was not expecting this answer, so I explain again, fearing he did not fully understand what I had been telling him. But it turned out he did listen, and contrary to what we and the lawyer knew, Asanka didn't need a Release Letter anymore, because this was already his second employer, from which it was not mandatory to have a Release Letter.

"You have 90 days to find another job, from the day your last contract ended" the policeman communicates impassively. He turns to me and warns me Asanka shouldn't work without a contract because if they catch him, there won't be any "discussion". In the same waiting room, there was proof of his warning: a Nepali guy, clutching onto a small backpack, told Asanka that after one and a half years of working in Romania, they were sending him back. His employer did not make his documents. It was not the best place to inquire about his misfortune, but it was evident his deportation was irrevocable, no matter the specifics of his predicament. "What a poor man" Asanka comments, as we leave the institutional premises in a dazed, but somewhat relieved disbelief.

The second chapter contextualizes and partly lays out the main argument of my thesis, namely how the migration regime and the Romanian migration infrastructure therein, are enhancing the vulnerability of the workers on the one hand, and producing the migrant workforce as "obedient" and "dependable", on the other. These are not separate processes, but are co-constitutive realities happening simultaneously, as I will show below. Thus, this chapter will unfold as follows: firstly, I will underline the implications of the emergency decree mentioned in the previous chapter, how it is crucial to immobilizing the TCN workers which in turn maximizes the employer's profits[15]. Then, I will explain how this legal

[15] Check Appendix (2) for a breakdown of the bureaucratic procedure of employing a migrant worker.

configuration works in tandem with a deficient institutional apparatus that essentially pushes people into informal employment, and thus produces them as "illegal". Finally, I will argue that this systemic bundle is enabling forms of migrant precarity, and give some examples of how these materialize at the workplace.

2.1 The Release Letter as a tool of migrant governance

As I mentioned before, the emergency decree hinders the mobility of migrant workers between different workplaces: in the first year of work in Romania, the employee must have a "written agreement" - the so-called Release Letter - from the first employer if they want to move to another workplace. Without that release letter, the subsequent employer cannot make a work permit for the employee, and without a work permit, there is no work contract. Thus, under a particular legal framework that applies only to TCN workers, the state circumscribes the migrant workers to a specific workplace. This immobility is essential in producing them as a desirable, compliant workforce, especially in comparison to the national pool of workers.

The logic of profitability is explained by one of the recruiters like this:

> It's profitable from the point of view that forming [as in training] an employee it takes you, depending on the job, between 1-3 months (..) The company invests in you 2-3 months until you become profitable! Or if you will leave after 3 months, no profit! Again another person, where is the profit for the company?! 0 profit! Like this [with the TCN worker] you have the employee, he cannot leave in the first year (..) Ok it will need that person 2-3 months to adapt. But after that I have 8 months, 9 months to gain profit.

Nevertheless, as the rest of the quote will exemplify, it's not just the reality of being circumscribed to the workplace that makes the TCN workers an "attractive" solution to the labor shortage. Even though according to the Labor Law[16], every worker has the same rights and obligations, regardless of nationality, in reality TCN workers usually sign contracts that

[16] As long as they signed a valid work contract. See workers' rights here - https://www.inspectiamuncii.ro/web/itm-salaj/incadrarea-in-munca-a-cetatenilor-straini

stipulate longer working weeks and daily shifts[17], and all of this is usually paid with the minimum wage or slightly above that. A Romanian worker is unlikely to accept such terms which is why the recruiter exclaims:

> [for a kitchen helper job] Under 4000 RON nobody is discussing! A foreigner - you pay him 2500 RON. And a Romanian, he will come for 4000 RON for 8 hours! No extra hours!! No overtime, no no! And two days off, and 'no disturbing me in the off day'! (..) So when you put it on paper, Romanian - foreigner, foreigner I have the predictability and I know for sure that for one year, and I know for sure that they will do overtime. So I can even think about increasing my productivity!

Thus, employing foreign workers allows employers to profit more easily. Through the requirement of the written agreement which immobilizes the TCN worker to the workplace, and also by stretching "normal" contracts to accommodate extended working time, a classic case of wage expropriation is enabled (Fraser, 2016b). However, it's not just the Release Letter that complicates job changes. Even with a good release letter or without needing one, the process is still difficult. The Immigration Office now takes around 45-60 days to issue a work permit, up from 30 days. If a worker doesn't get the permit within 90 days, then "You're illegal, you're trespassing, you need to go back home", a recruiter summarizes bluntly. He continues to explain to me the repercussions of this legal arrangement:

> So, (..) if the employer is not ethical, the employee will see 'ok, no matter how hard I'm working he will not satisfy my need. So I will stay for 1 year. But the employers know for sure that 1 year he has that person there, in the company, and he can rely for one year on that person.

This quote sums up once again who benefits from this bureaucratic arrangement, namely the employers and the recruiters who extract surplus value off their "predictability". The employers can manage their business without worrying too much about recruiting

[17] That can mean a 6-day work week, and a 10 hours daily shift. This depends on the industry, and it doesn't perfectly portray the generally extended work shifts in the hospitality industry, for example.

manpower, while the recruiters are not as concerned about people leaving for another employer. Therefore, it should not come as a surprise that this was institutionalized by representatives of recruiters and employers, whose initiative was also supported by labor unions. It is in this decree and its repercussions that we see the commercial and regulatory dimensions of the migration infrastructure interacting, for each others' benefit. In this context, the (im)mobility infrastructure (Xiang, 2024) is enacted through the legal 'innovation'[18] of the 'release letter', which Scheel and Tazzioli (2022) would say it's one of the many "processes of boundary-making that enact people as migrants" (p. 3).

2.2 Institutional deficiencies

Consequently, this begs the question of what happens to the people who want or are forced to change jobs, as they are waiting for these documents? Can they afford to wait? How are they supposed to overcome even a brief period of unemployment when they cannot access unemployment benefits and they also don't have social "safety nets" to fall back on, as all of their kin are thousands of kilometers away? One recruiter, the Nepali man who used to be a migrant worker himself, lays it out clearly when he tells me:

> In that period, he doesn't have a job, he needs money to pay for his accommodation, he needs to pay for food. And he doesn't send any money home. So that's why it's not easy after 1 year to change jobs. So that's why you can rely on them, because they are in this kind of situation.

"This kind of situation" is manufactured through the Release Letter, coupled with a lack of information and long waiting times, which the migrant worker cannot afford. Asanka, whose story opens this chapter, followed the advice the policeman nonchalantly offered, and started looking for jobs. However, the recruitment agency he went to told him that the only

[18] I thank my supervisor, Prem Kumar Rajaram, for suggesting this fitting term.

document he had - where the last employer annulled their contract and wrote the reasons for doing so - was not suitable to get a work permit. To quote Asanka: “you go to 10 different people and they tell you 10 different things. I don’t know what to believe”. The fuzziness of the legal procedure of switching jobs or finding another employer, together with the long processing times of the needed documents are a result of current institutional deficiencies.

In every interview I had with recruiters and employers and even NGO representatives, everybody drew my attention to the incapacity of IGI to deal with the large volume of applications they had to process. All the recruiters that I spoke with bemoaned in one way or another the insufficient number of personnel:

> They are very little! They opened the gate for Asia in 2019 and nothing was done about it, politically. To have personnel, to be prepared for the mass of people that will come. Because one waits at some queues for hours, believe me! (..) And there was one person or two people that should…one office.. They cannot handle thousands of people.

Nevertheless, IGI is not the only state institution that doesn’t seem concerned with making migrants’ lives easier. Similarly, the Labor Inspectorate - who should oversee the protection of workers in terms of work relations as well as health and safety at the workplace - is inadequately prepared to deal with migrant workers. For example, when I went with Asanka to the Labor Inspectorate, I did so because nobody there was speaking English, meaning he wouldn’t have been able to file the complaint. How can non-Romanian speakers flag workplace injustice if they cannot communicate with state institutions who are responsible for preventing it?

Additionally, on the topic of institutional configurations that fail to support migrant workers, labor unions deserve a mention. Firstly, according to Labor Law, migrant workers should be able to unionize just as anybody else working in Romania. Back in 2021, the National Union Block (BNS) announced they are preparing relevant information about workers’ rights, to distribute to migrant workers across union federations, as well as starting

to incorporate the people that express interest in joining a union[19]. However, two years later, not only they didn't have any TCN workers in their unions[20], but they also voted in favor of the aforementioned emergency decree, declaring it was to prevent the "unfair theft of foreign employees by Romanian employers" and also mentioning the rights of Romanian workers cannot be compared with those of foreign workers[21]. This vote feels uncanny coming from a union that back in 2010 published a co-study outlining the kinds of problems migrants face in Romania (Toader et al., 2010).

Currently, the extent of migrant worker involvement in labor unions remains difficult to ascertain, as official evidence of their representation within these organizations is lacking. This discrepancy can be attributed to the considerable challenges encountered in the process of joining or establishing a union. According to the labor union researcher[22], while it is legally permissible for migrant workers to engage in union activities, the primary barriers lie in the lack of requisite knowledge and language proficiency necessary to navigate the stuffy Romanian bureaucratic procedures, which are exclusively conducted in Romanian. Furthermore, the specialist would also point out that this issue is exacerbated by the shortage of union personnel available to support migrant workers during this process, and by a lack of interest or personnel on the part of the Labor Inspectorate which should attempt to inform the TCN workers of their rights at the workplace.

To summarize, the emergency decree institutionalizes a mechanism of governing migrants through immobility, the lengthy processing time of documents is a luxury people cannot afford and the lack of institutional support effectively leaves people vulnerable to the whims of employers or dependent on the benevolence of recruiters. This mapping of systemic

[19] https://adevarul.ro/economie/cei-50000-de-straini-veniti-la-munca-in-romania-2113547.html
[20] https://panorama.ro/muncitori-straini-romania-izbeliste-stat-sindicate/
[21] https://www.libertatea.ro/stiri/sclavagism-modern-legea-prin-care-muncitorii-straini-sunt-legati-de-angajatorii-lor-din-romania-436969
[22] Who preferred to stay anonymous.

coordinates makes more intelligible the context in which TCN migrants are thrown upon arrival.

2.3 From precarity to "illegality"

Consequently, these instances enable forms of precarity that a TCN migrant has to face in Romania. Therefore, to highlight my point, in this section I will take a moment to see what "precarity" and its off-springs - precarious and precarization - hold conceptually, and how they could help us analyze the empirical material.

Firstly, "precarity" has often been criticized for being overstretched, elusive, or without a clear, agreed-upon definition, which obviously raises problems when trying to utilize it (Choonara et al., 2022). Taken from Bourdieu's *précarité,* the concept gained traction in and outside academic discourse in the 80s in the wake of post-Fordist labor reforms and the diminishing of the welfare state. In the context of social sciences, it also represented a shift from mainstream functionalist perspectives on "social inclusion/exclusion" (Schierup and Jørgensen, 2016). Considering the early 2000s resurgence of the term in activist and scholarly discourses, Neilson and Rossiter (2005) point out to how outside labor market conditions, the term referred to "the prevalent moods and conditions within advanced capitalist societies at a time of seemingly interminable global conflict" (p. 11). It is in the same post-9/11 context, where Butler also theorizes on the "precariousness of life" as an ontological characteristic of life (2006). Thus, as summarizes by Han (2018), precarity is usually understood to have two poles - one focusing on the insecure and flexible work relations in the wake of globalized neoliberalism (Kalleberg, 2009); and the Butlerian understanding focusing on the vulnerability characteristic of the human condition.

Nevertheless, even without going into the debate of the "precariat as the new class" (Standing, 2011), the concept presents a few significant limitations. One critique comes from

Neilson and Rossiter (2008) who argue that instead of seeing precarity as a new phenomenon, we should be mindful of how the Fordist period, with its welfare capitalism and robust union representation was in fact the historical exception, which is why we should understand precarity not as a new phenomenon but as a characteristic of contemporary capitalism. Their argument is nicely complemented and contextualized by Mezzadra's call to rethink the history of 'wage labor' from a postcolonial perspective (2011a). He argues that the decline of wage labor and the proliferation of precarious work relations are continuous to heterogenous insecure forms of labor that have proliferated throughout the colonial history of capitalism.

Without overlooking the shortcomings that come with translating it onto different contexts that never had a history of the welfare state, I find pertinent Butler's definition of precarity as a "politically induced condition in which certain populations suffer from failing social and economic networks of support more than others, and become differentially exposed to injury, violence, and death" (2015, p. 33). This definition takes into account how, although precarity might be an inherent condition of workers in capitalism (Alberti et al, 2018, p. 450), people are differently precarious as a result of diverse histories of violence, as well as within particular institutional constellations of employment and migration regimes.

Furthermore, Alberti et al. (2018), argue for seeing precarization as a process, thus accounting for both subjective (how insecurity is perceived) and objective conditions (how insecurity is produced) of the current capitalist conjuncture. This understanding points towards how "precarity" continues to aid empirical analyses of migrant experiences. For example, Lewis et al (2014) argue that migrants are often at the intersection of an insecure labor regime and a restrictive immigration regime that puts them in a "hyper-precarious" situation, laden with insecurity, while Piper (2022) talks about the transnationality-precarity nexus in whose webs migrants get stuck. Their argument is well-supported by case studies in places like Singapore (Baey & Yeoh, 2018), Malaysia (Sunam, 2023) and Austria

(Hopfgartner et al., 2022), to offer a few examples.

What I found interesting was that my interlocutors, in light of their "imaginaries" of Romania as a developed country, similar to other European countries, were expecting a sense of security resembling that of a forlorn welfare state. Referencing "perfect hours", the smooth enactment of justice and the freedoms they saw as characteristic to Europe, they were counting on a kind of security, which after 30 years of neoliberal restructuring (Gog & Stoiciu, 2024), was nowhere to be found in Romania, if it ever existed. It's also important to mention how when talking about the precarity migrants encounter in Romania, I'm not implying that the circumstances they migrated from were not precarious (Azis et al., 2020, p.13). Instead, what I would like to highlight is that part of the appeal of Europe rests on the idea that people's rights are respected, social services are working and the state is there to protect you, which largely proved to be an illusion.

Circling back to the emergency decree, this legal innovation fosters precarity in a number of ways. Firstly, it makes it difficult for people to leave a workplace that is abusive. The restaurant where Asanka quite literally ran away from was paying him below what they agreed, didn't pay his extra hours, and would move him from the waitering position to toilet cleaning, whenever the manager was upset with him. Secondly, when deciding to forgo the immobility they are forced into, migrants often have no choice but to seek employment through unofficial channels, while waiting for their documents to be processed. Informality can ensue even without the migrant trying to move to a different job: there have been numerous cases where the employer didn't make the employee's[23] documents in time, only to find themselves, like the Nepali man we encountered, waiting for their deportation.

No matter the reason, how the state translates all these cases of informality or

[23] According to the IGI logic, the employee is responsible for making the temporary residence permit. However, most people either don't know that, don't speak English or Romanian and they also need certain documents which belong to the employer. Therefore, the employee can't simply go to IGI, but needs to be accompanied by the employer or by the recruiter.

undocumentedness is by seeing migrants as “illegal”, who are one IGI control away from being deported. This puts into sharp relief how “illegality” is *produced* and highlights the importance of investigating how the legal and social processes that render migrants "illegal" are historically specific and are “constituted by particular migrations within the respective immigration regimes of specific nation-states” (De Genova, 2002, p. 424; see also De Genova, 2010; Sigona, 2012, Banki, 2013). Nevertheless, the threat of deportation is not simply an abstract vulnerability, but it can materialize in many forms “ranging from hunger to unemployment (or more typically, severe exploitation) to violence to death” (De Genova, 2002, p. 427).

Ultimately, what this section seeks to highlight is how “illegality” is produced and made durable in the Romanian migration infrastructure and how this state-warranted configuration exacerbates the vulnerability of migrant workers and creates the undocumented underbelly of an already exploitative system. As Mezzadra reminds us, in this relation between labor migration and its control, we can understand how “irregularity” is “a part of a continuum of subjective positions” (2011b, p.126) that constitute the migration regime. Consequently, one’s position on the spectrum of legal liminality (Feldman, 2019) determines one’s level of exposure not only to the threat of deportation, but also to various abusive practices, which I will now discuss.

2.4 Broken contracts and the multiplication of labor

In this context, where the threat of deportation is so palpable, brokers become even more significant in the lives of the migrants, as they enhance or alleviate the precarity within the migration infrastructure (Wee et al., 2018; Awumbila et al., 2018). For example, some recruiters do oversee the employer-employee relations *after* they place the migrant. The same recruiter who in the first chapter was angry at how easily migrants can leave to the Schengen

area, was outraged about how people are made illegal while they are waiting for their documents and underlined how he helped people who were in drastic situations, with no money to pay for accommodation or food. Nevertheless, while they *can* play a more positive role, they can also enhance migrants' precarity (Deshingkar, 2018; Spanger & Andersen, 2023)

Many people shared with me the high costs they paid for the entire intermediation process. My Sri Lankan interlocutors paid between 3000 EUR and 4800 EUR, while my Nepali interlocutors paid between 1500 EUR to 5000 EUR, which they raised by selling their mother's jewelry, inherited land, or by taking high-interest loans. Sometimes, this included a one-way ticket to Romania; other times, it was an additional expense. While my thesis doesn't focus on the impact of debt on migrants and their communities, there is ample research on debt as a capitalist mechanism of dispossession (Davey, 2024). Therefore, the reality of loans and the debt that ensues is crucial to understanding the stories of my interlocutors, and will remain an undercurrent throughout my thesis.

Another recurring theme was the quality of information provided by intermediaries. Navigating bureaucratic procedures, both at home and in Romania, requires knowledge and time that migrants often lack. Recruiters' access to specific information or contacts (both in Romania and in the origin countries) makes them gatekeepers of the migration process, allowing them to shape the narrative. For instance, the dreamy "imaginary" of "Romania as part of Europe" was often promoted by recruiters to attract clients. Many of my interlocutors were told Romania was a land of opportunities, sometimes unrealistically depicted as a place where they could earn up to 2000 EUR. While I was talking with Subhan about this, he was telling me that "normally, they don't talk clearly". Which is why he went "directly" to the recruiters' office "and I talk directly! Everything clearly! (..) What I need to pay, I'll pay, it's not a problem. But everything need to be clear and we talk clearly from the beginning".

In his case, the recruitment agency was recommended by a college friend of his wife, who was working locally for a recruitment agency, which points to how these networks of intermediation trickle down into smaller communities and find legitimacy and representation in local brokers (Lindquist, 2012). But even if Subhan had talked “clearly”, he reminds me that the soon-to-be migrant will always have limited access to all the information concerning them: “if I need to go some places (..) I have to follow them. Because I don't know how to do anything. And when I don't know anything, then (..) I have to believe them.”

In a similar fashion, Sathsara was the first one of his friends to arrive in Romania, at the Bucharest airport, without knowing where he was going and what exactly he would work. That day, he met a Sri Lankan man at the train station “who stayed 14-15 days in Bucharest train station without accommodation, without job, because he lost his job and waiting for one”. When I asked him if this encounter scared him, he replied that no, because he had some money to go back to Sri Lanka, if worse came to worst. But most of the people don’t have that kind of safety net. Luckily, in Sathsara’s case, all went well - both the job and the recruitment agency turned out to be real. I say "luckily" because some migrants fall victim to "ghost companies" posing as recruitment agencies, who then disappear or abandon them at the airport[24]. While my thesis won't focus on these scams, their existence underscores the risks migrants face. Romanian recruiters mentioned that such cases were particularly common during the Covid-19 pandemic. In this context what’s important to remember is that there are no institutionalized ethical standards for recruitment companies, as one recruiter told me.

Therefore, recruiters in both the origin countries and Romania, as gatekeepers of the migration process, hold significantly more power than the migrants. The accuracy and

[24] https://economie.hotnews.ro/stiri-finante_banci-26276600-fraudele-piata-muncitorilor-asiatici-care-ajung-romania-blocheaza-contingentul-100-000-sute-muncitori-lasati-aeroport-patronat.htm

completeness of the information they provide heavily influence migrants' experiences in Romania. And it is in this context that migrants have to deal with, what Mendoza (2020) calls "broken contracts" which are exhibiting "many irregularities including a lower wage than legally allowed or stated in the contract, a different job, and reduced or foregone benefits" (p. 6). This is key to understanding the precarious status of migrants and their subsequent decisions.

For instance, Asanka, who initially worked as a kitchen helper in Constanta, found his job through a Sri Lankan worker's Facebook post. The recruiter was informally intermediating on behalf of the Romanian employer. Although he signed a two-year contract in Sri Lanka, after six months, the owner let him and others go:

> Summer is gone, they informed us we have to go back to another city. Six people came to Romania... Now only two guys are working there because they can't find jobs. They came as cook helpers; now they are doing construction and painting.

Being assigned a different position than the one stipulated in the agreement is another example of a "broken contract", which in this case not only undermines people's choices and dignity, but also puts them at risk of deportation[25]. In the end, these violated agreements exacerbate people's precarity, and they highlight the power imbalance between employers and workers: while the migrant is immobilized in a specific workplace, the employer does furtively what they please, whether it's laying off or moving people to whichever position.

People extensively talked about another aspect of "broken contracts": unpaid overtime. Some individuals I spoke with were compensated for extra hours, while others were not; some requested extra hours and received them, while others had no choice but to

[25] If a person changes their job position, they need a new work permit, even if they're working in the same business. If they don't have the right work permit, they are working "illegally".

work them. Asanka shared that during his first job in Constanta, his overtime was unpaid until he directly messaged the manager:

> According to our agreement I have to work for 10 hours, but last two months I have worked 12-14 hours. It's ok, because of my start up [start of the job], I was very eager to learn how to cook, therefore I don't care about [over]time, but (..) I need value for my hard work!

After that message, he was paid for the subsequent overtime but not retroactively, and when he was transferred to another section of the business, they stopped paying his overtime altogether.

Nevertheless, even if the overtime is paid, there are consequences to grinding anybody's capacities until exhaustion. Asanka recounts what happened one day in the kitchen:

> I cut my finger like 1.5 cm and they don't give me the days off, they informed me, "No, you have to come to work, you have to come to work." (..) In Santa Maria, you know August 15, I went to the work 8 o'clock, I have to work another day (the next day until) 2:30 [AM], (..) You count how many hours? You know Saint Mary's day, it's too much people. So when I was working in the grill, my head is like this (makes a spinning gesture)... Then when I open my eyes I was in hospital.

Adesh, who used to work in a kebab chain restaurant before he decided to try gig delivery work, tells me how working almost non-stop would affect him: "No pauza ("break" in Romanian), no rest. You know, you must work. And sometime I'm hungry, you know, and I serve the food. (..). I cannot eat. Because there is a work. (..) Nobody can replace my place".

When trying to understand the reality of migrant workers in Romania, the "multiplication of labor" could be useful for our analysis (Mezzadra & Neilson, 2013). Thought of as an actualized version of the older concept of "division of labor" for the current historical moment of capitalism, they define multiplication of labor as "the parallel operation of the three tendencies—intensification, diversification, and heterogenization of labor—that are increasingly reshaping labor experiences and conditions" (p. 92) In the current case, we

could look at the migrants' working experiencing through the lens of multiplication of labor where it is intensified through the long working hours that colonizes the rest of their lives and diversified in the sense that people constantly have to do more than their job description, either at the same job or as a result of being moved to a different position.

Lastly, when they refer to the heterogeneity of labor, this takes in a global perspective accounting for how labor is "continuously divided and redivided by the proliferation of borders" (p. 22) and highlights the interconnectedness of various geographical spaces, where labor in one place depends on labor done in another. This insight ties in nicely with the insights of social reproduction theory, which I will explore in the following chapter. What's important to keep in mind is that people's labor is multiplied through the debt incurred, the (mis) information provided, through the broken contracts resulting in unpaid overtime and exhaustion, all of which are compounding migrant precarity.

To conclude, in their quest for extracting surplus value, the commercial and regulatory dimensions of the migration infrastructure have institutionalized the immobility of the migrant worker. This is key to fostering a precarious environment for TCN workers, who have to navigate a confusing configuration that easily renders them "illegal". They often have to deal with "broken contracts", unpaid overtime and exhaustion, which testifies how labor is multiplied in 21st century capitalism. As Asanka would remind me: "When money speaks, nobody checks the grammar".

CHAPTER 3 - WHAT CHEAPENS MIGRANTS?

In the previous chapter we have seen how the state warranted and commercially supported legislative framework is immobilizing people, which not only produces them as migrants, but also as "obedient". However, moving beyond the regulatory configuration of the infrastructure, what other factors produce people as ("obedient") migrants? Why are

migrants considered a viable option for employers, given that, in theory, employers must not only cover administrative costs but also provide accommodation and food[26] for them?

Thus, in what follows I will highlight that what (traditionally) makes migrants "cheaper" is the externalization of reproductive costs onto the rest of their kin structures back home. This is usually concealed underneath employer and recruiter-based imaginaries of migrants as "hard-working" and "obedient" which are steeped in culturalized, racializing logics that further normalize their exploitation.

3.1 Concealing social reproduction

In Romania, there is this mainstream sigh about how "Romanians don't want to work anymore". This is also the first explanation that you would hear from business owners who are employing foreign workers, as a solution to the national labor shortage. To my surprise, one Romanian recruiter debunks this narrative:

> No! The Romanians want to work, but the Romanians don't want to be fooled! (laughs) (..) they want to be rewarded! There's no longer the mentality of 10, 15, 20, 25 years ago where you can… make a worker do 10000 things in your company! The worker will come for one thing that he has to do, and he will do just that and I think that's perfectly normal..

Thinking about the 10000 things that migrants are actually asked to do, I wondered what is then the difference between a Romanian worker and a foreign worker. He answered:

> For now, the migrant workers….can do more things. Because they…taking into consideration the fact they don't feel very safe.. I mean they are in another country and other things… they can be made to do other things also. Which the Romanian won't do! And here is the advantage of the employer, because this person can also clean, can also do extra time, can do other things also. There are some advantages. (..) at least for one year…until they accommodate…until they figure things out… Generally, he will be obedient.

[26] In the form of food or food allowance. There is no standard for how much that should be.

Firstly, oftentimes interviews and conversations were underpinned by 'classic' stories of seeing the migrant worker as a kind of 'homo economicus' or 'an agent of development' (Turner & Kleist, 2013), ready to sacrifice their entire identity on the altar of sending remittances. This kind of behavior was praised to me by one of the employers, when he told me that "one of the boys, I don't know if he goes out more than 2-3 times a month? Out of the premises. He goes out when he sends money home and that's it. Otherwise, room, work, room, work. 100% dedicated". The Nepali worker turned recruiter spells it out even more clearly: "From the point of an employer, you want an employee like this that it's focused on work only! And he has no distractions, because the family is back there, friends are back there. You come here to work."

An analysis of migration would be incomplete without the insights of feminist researchers who have pointed out the interconnectedness between production and reproduction, and how the first has always depended on the latter. Maria Mies (1986), a forerunner of this body of knowledge, contends that exploitation is not limited to the paid workforce, but extends to unpaid labor performed predominantly by women at home, a process which she called "housewifization". In the current case, this unpaid labor that's happening thousands of miles away from Romania, allows the migrant workers to "only focus on work". Similarly, Fraser (2016a, p. 102) argues that social reproduction is one "indispensable background condition for the possibility of economic production in a capitalist society" (p. 102), while Graeber (2013) reminds us it's the "most elementary form of *real* value-producing labor" (p. 224). What employers and recruiters seem to forget, what classical economists and politicians try to conceal, and what SRT theorists want to bring forth is the fact that the "labor dispensed to produce commodities" and the "labor dispensed to produce people" are intertwined in the "systemic totality of capitalism" (Bhattacharya, 2017, p. 2).

A system of migrant labor is characterized by the separation of the processes of

"renewal" and "maintenance" (Burawoy,1976), meaning that while the productive work is happening in Romania, the social reproductive functions, and the care responsibilities are undertaken by the people (mostly women) in Nepal, Sri Lanka, Bangladesh and all the countries where people are migrating from. Shah and Lerche (2020) would use the concept of "invisible economies of care" to encompass both paid and unpaid domestic and caring work, which they argue is carried out through kin relations, which are gendered and generational. Miraftab (2014) sees this reality as a "global restructuring of social reproduction", and argues that this makes these jobs seemingly more "viable" for the foreign workforce, and less so for the "native-born" population (p. 44), precisely because the social reproductive costs are off-shored.

Nevertheless, as we know very well, Romanians are themselves undertaking similar labor migration, which renders them "cheaper" on the Western European labor markets, as their social reproduction costs are offloaded to Romania. Thus, this labor migration to Romania ceases to be just a "story of immigration", when we understand it in relation to other similar social reproductive processes happening globally, creating and recreating 'reserve armies of labor' which capital taps into as it spawns dispossession both in the "peripheral" zones in South Asia, as well as in a "semi-peripheral" country like Romania (Vincze, 2019).

As Bohrer (2022) poignantly summarizes it, "labor power can be cheapened through the practice of labor arbitrage or by spatially separating the labor power of temporary migrant workers from the time and expense of socially reproducing the workforce" (p. 12). For recruiters, Romania's quality of being 'a country of cheap labor'[27] is seen positively, through the economic and development opportunities this precipitates:

[27] https://www.criticatac.ro/tema-romania-tara-muncii-ieftine-cum-schimbam-modelul-de-dezvoltare/

> After being Schengen it [the need for more migrants] will grow more. Because a lot of companies will be willing to come here, as the labor cost is very low, right? Because here ok, in 600 euros and 700 euros they can find the manpower to work. But in Germany or any other country, it will be like 4 times more.

3.2 "The Indians are coming"

A bunch of graffiti in the center of Bucharest where at the bottom it's written: "The Indians are coming".

Although there might be examples of that, this section is not about random acts of racism. Instead, my argument is that when understanding what permeates this precarious infrastructure, part of the explanation also has to do with race. After all, we don't have to look at whose body washes away on the coasts of Europe, to understand that how the European migration and border regime operate is through a racial logic (De Genova, 2018). Far from being exhaustive, this section will offer a brief analysis of the context, through a 'racial' lens.

The way I understand race is not as “a fact of nature”, but as “a socio-political fact of domination” (De Genova, 2018, p. 1770). It is a “mental construction” that has colonial origins, and it was “a way of granting legitimacy to the relations of domination imposed by the conquest” (Quijano, 2000, p. 534). Consequently, racism is “a global hierarchy of human superiority and inferiority, politically, culturally and economically produced and reproduced for centuries by the institutions of the ‘capitalist/patriarchal western-centric/Christian-centric modern/colonial world-system’” (Grosfoguel et al, 2018, p. 636) which, as Fanon (1986) rightly suggested, establishes a “zone of being” and a “zone of non-being”, demarcated by a color line.

Racialization then is the process of marking bodies as superior or inferior, and positioning them on this hierarchy (Grosfoguel et al, 2018, p. 637). This hierarchization shows up in various corners of the migration infrastructure and is also institutionalized in the legal framework which differentially determines whose body gets to move where and how, whose body deserves certain kinds of rights and why, whose body is put to work and for how long. Naturally, this systemic embedding has significant repercussions, as Gilmore emphasizes when writing that racism is “the state-sanctioned or extralegal production and exploitation of group-differentiated vulnerability to premature death” (2007, p.247).

How do processes of racialization play out within global as well as local projects of accumulation? Bhattacharyya (2018) suggests that a feature of capitalism was never to homogenize us but to differentiate and divide us (p. 11). Correspondingly, Rajaram (2021) highlights that race isn't merely a consequence of capitalist modes of production; instead, capitalism is intertwined with longstanding histories of "othering," shaped and perpetuated by them (p. 165). To me, it is precisely these histories that ground Bhattacharyya’s choice to analyze ‘racial capitalism’ and not simply capitalism. In this process of differentiation, “capitalist formations create by default the edge-populations that serve as the other and limit

of the working class" (p. 5). Similarly, Rajaram (2015) talks about capitalism not only as an economic system but as a cultural ideology whose processes of valorization translate into the production of 'surplus populations'. These populations are oftentimes migrants, but also women, domestic workers, or other marginalized people, such as the Roma community in Romania.

In a different article, Rajaram (2021) describes these populations as having "difficulty valorising their body power because of the sub-powers that privilege a specific idea of laboring" (p. 163). However, this doesn't mean they are not incorporated in accumulation processes. Surplus populations are "differentially included" (Mezzadra and Neilson, 2013) in the labor market, and more often than not find themselves doing the "backstage operations" of capitalism, which are concealed by the "front stage operations" that function seemingly smoothly based on a contractual relationship (Rajaram, 2021). And it is precisely this location as "almost included and yet the boundary" that sets up a "racialized economic position" (Bhattacharyya, 2018, p. 27).

What I have noticed in my case is a designed oscillation between the "front stage" and "back stage" operations, where migrants travel to Romania based on a wage contract, but oftentimes end up in the "back stage", via their under/undocumentedness. Indeed, one could argue that these instances of marginalization, or the governmentality of migration regimes more broadly, are just part of the inner workings of capitalism, whether or not it's racial. However, as De Genova et al. *(2022)* rightfully suggest, when considering how contemporary migrations are intertwined with a global regime of capital accumulation, which is "inseparable from the histories of European and Euro-American colonialism", then questions of migration are also questions of racialization (p. 5).

Nevertheless, being aware of this history does not facilitate pinpointing instances of racialization. How do these processes of racialization materialize in people's lives? How

should we situate race in a context that is built to marginalize people, without sidestepping how race can be consciously recast for making claims (Mofette & Walters, 2018, p. 98)? Do we read mentions of "cultural" and "civilizational" differences between Romanians and the migrants as innocent trivia, thrown around by a manager, who "at night, in bed" peruses the "Partition of India" Wikipedia page to decide whether to put Indian and Pakistani workers in the same room? Whereas saying "they have another brain structure" is quite unambiguous, what should we understand when people are described as "hard-working", "simple", "a-technical", or "with a different mentality"[28]?

Undeniably, these are forms of essentialism at play and oftentimes "such fictions of embodied otherness" (Bhattacharyya, 2018, p. 2) are continuously positioned on a shifting hierarchy. Could we assume that a racializing logic might be operational in the Romanian context? At least the recruiter who told me earlier about different brain structures thinks it's real when he exclaims "They are not respected, we [Romanians] are racist! This is the brutal truth, anyhow. I didn't meet a person who's not racist". Consequently, I will continue this section by looking at three kinds of abuse that I saw evidence of in the field, namely wage theft, improper accommodation and workplace hierarchies which I analyze through the lens of racialization.

Wage theft can be investigated at the intersection of the vulnerable legal status and structural racism (Fernández-Esquer et al., 2021) and it comes in various shapes and forms, as Weeraratne (2023) documents in her paper on Sri Lankan migrant workers during the pandemic. When Asanka asked his employer about the salary he received which wasn't the sum agreed upon, the employer said "Ah ok" and gave him the rest of the money. "You know what I'm trying to say? Every time they try to do something not good. If you don't ask, they do that", he exclaims. On the streets, in restaurants, and in private conversations, people

[28] These are quotes from interviews with employers and recruiters.

would mention stories of people who were either not paid on time, underpaid, or simply unpaid for months. As Asanka recounts, there can be tragic consequences in that: “Sri Lankan Tamil guy maybe Timisoara or Arad, he suicide his life because this incident! (..) Three months… he doesn't have a salary. So yeah, he has a family in Sri Lanka, (..) he don't have money to feed family..”

Another site from which employers could reduce costs is the accommodation. The majority of contracts for TCN workers imply that accommodation costs will be covered by the employer. While researching this, I found out that this is not a legal obligation, but since the worker needs to be registered at an address in Romania, to speed up the recruitment process, it’s a common practice for the employer to provide some kind of accommodation[29]. “Some kind” can mean a myriad of options, especially since there are no regulations or guidelines in place yet when it comes to lodging migrant workers. People are free to move out of the accommodation, but usually, the employer ceases to cover the costs of another room.

I’ve heard plentiful stories of what it means to have improper accommodation: about the difficulties of living with people with similar shifts, forced to cook on a small stove, all at the same time; about the lack of privacy to talk to their loved ones, or the difficulty in sleeping while your roommate is catching up with their family; how difficult it was to feel ready for another 14-hour workday, after a night of disturbed sleep. To make things worse, one worker didn’t know until I pointed it out, that he was living in a building with “class 1” seismic risk where it is illegal to rent rooms[30]. Subhan stressed that “16 people cannot live in one building, in one small house. We are not animal. We are human. We need this space”. He was explaining that when his wife will come to Romania he will look for separate

[29] This information was found here: https://legislatiamuncii.manager.ro/a/29564/cum-sa-obtii-un-aviz-de-munca-in-romania-acte-necesare-si-ce-trebuie-sa-stie-angajatorii.html
[30] https://www.aljazeera.com/economy/2024/3/2/romanias-geeks-are-mapping-earthquake-risk-in-eus-highest-risk-capital

accommodation because the current one is not proper for a family. Still, it's much better than that of his other colleagues who "are living like 4-6 people in one room. And I don't like that. What I know is like I'm selling my time, my work, not me. I'm not a slave".

However, finding accommodation as a racialized person in Romania is not easy, something which is obvious for Roma people (Berescu et al., 2013; Vincze & Zamfir, 2019). Similarly, South Asian migrants have also told me they repeatedly faced refusals from landlords who declined to rent to them. Iruth and Nimala, a married couple who wanted to live alone, managed to rent a place only because their Romanian friends signed the contract.

Lastly, what people commonly reported were what I understood as racialized workplace hierarchies. My interlocutors told me how people, whether managers or co-workers, treat them differently than their Romanian counterparts. Subhan told me how in the chain restaurant where he works, not only the Romanian delivery men would get more orders, but theirs were also prioritized. Similarly, Sathsara and Nipun explained how rarely they would take breaks during their 8-hour shift at the factory, because they were always made to do more things while their co-workers were smoking outside. Sathsara, who for an unknown reason was made to use the "old machines" nobody uses, suspected it was a kind of punishment from his shift manager. As an extreme example, Asanka was moved from the restaurant to the hotel because a co-worker hit him.

In all of these cases, people complained and the situation slightly changed, at least for some time. But Subhan is right to point out that when reporting these incidents, it's already too late:

> We'll talk to them, but we have to face them [the situations], on the field. They don't know! They are not working on the field (..), we have to suffer from that. So when we already suffer, after that, the medicine doesn't work. That's not health!

However, considering the legal framework that ties the worker to the employee, expressing dissent is tricky, and potentially endangering. For Subhan, speaking out is an

option because he worked 5 years in the company, “but who are new, they cannot say anything. They are quiet. They go, they do, they come. (..) We have to. Because we don't know anything about [how things work] that time [in the beginning]. It's not good to argue”.

Both Nipun and Asanka make a comparison between how Sri Lankans treat foreigners and how they feel Romanians treat foreigners. Nipun muses: “I think for Asians, they don't like Asians. They don't like black skin. But [if] someone came for the Spain, Italy. Ahhh! [..] I think Spain and Germany, it's Romania's dream country. (laughs)”. Analogously, Asanka goes on exasperated: “In my country where we see the white skin, we really respect. (..) but here, no fucking friendly service, no polite, no care about employees (..) So many problems in this country. That's why people, however, leaving! Crossing border line in containers!”

Whether they would name it as such or think of it as a site for discrimination, both my South-Asian and Romanian interlocutors were aware of the color line. Through this section, I ventured to understand how experiences of marginalization are embedded in racialization processes that ultimately serve the interests of capital. Paying a decent wage, offering decent accommodation, and treating workers equally can all be circumvented or (un)systematically neglected based on where the employer, recruiter, or manager positions you in the hierarchy. So against this dreary backdrop, one might rightfully ask if there’s any silver lining left at the bottom of the capitalist barrel?

CHAPTER 4 - “I DON’T WANT TO DO JOB. ONLY SING 8 HOURS”: COPING TACTICS AND TIES COMMONALITY

“You have no idea how many people in here are illegal”, Asanka shouts to me over his shoulder. We were making our way through the already tipsy crowd, and our trajectory was constantly interrupted by all the people who knew Asanka from his previous job, who

would stop him with “Machaaaaan! Suba aluth awruddak wewa![31] It was the Sri Lankan New Year and parts of the community across Romania came to Bucharest to celebrate. The event was held in one of the biggest industrial warehouses built during the communist regime, which the district’s mayorship restored into an events hall, to “revitalize a strategic zone of the district”[32], or what some might call one of the poorest parts of the city. It was the kind of venue that would make the group of over 3000 people appear small[33].

Despite its ridiculously massive size, the air was soon filled with cigarette smoke and the heat of dancing bodies. Under the illuminated high ceiling, people were singing to covers of their favorite songs, played by the RO94 live music band, whom I had known since my first day of fieldwork when they were performing at another New Year's Eve. Even some Romanian pop songs were covered. Outside the entrance to the venue, a food truck was distracting the people queuing with some traditional dishes. Before the concert started with a two-hour delay, most of the people had been pre-drinking and catching up at the nearby

[31] Loosely translated as “Happy New Year, homie!”
[32] https://www.primarie3.ro/index.php/programe/detaliu/hala-laminor/3593
[33] https://www.hotnews.ro/stiri-esential-27064989-reportaj-cine-este-ranga-srilankezul-care-ajuns-manager-fabrica-romania-organizat-petrecerea-3000-oameni-bucuresti.htm - the number is an estimation taken from this article.

outdoor bars, usually frequented by the area's pensioners and regular alcoholics. With bottles of vodka, orange juice, and a couple of beers, we sat at a table with Asanka's friends, surrounded by other similar groups, who somehow managed to take the day off. The mood was lively, as people were catching up, making jokes, and teaching me all the swear words in Sinhala. Conversations were flowing like quicksilver, and they promptly arrived at the topic of work. Asanka sighs and smiles at me apologetically - *"*We came to enjoy our celebration, but the mind still thinks of these things."

At a table near us, some Romanian men were sipping from their beers and looking inquisitively around them, which, I'm embarrassed to say, always alerts me as I expect the worst. Somehow a conversation starts and they ask in broken English what are they celebrating, to which I reply in Romanian, that it's the Sri Lankan New Year. Another man confirms knowledgeably, after he just googled it, that in Sri Lanka they have different calendars and so, for them, it's not 2024, but a random number that I couldn't make out amidst the commotion caused by someone bringing a bottle of overpriced alcohol. Another Romanian man, working informally at the respective pub, approaches our table and starts speaking in Italian with them. If they had known about the celebration before, they could have prepared for more customers, and maybe even organized the entire party at their place, he tells me regretfully.

This last chapter tries to open a window of hope, from which to breathe after visiting the more suffocating rooms of the migration infrastructure. This ethnography wouldn't be complete without people's stories that go beyond the precariousness of migration. Thus, in the last pages, I will narrate some of the ways in which South-Asian migrants forge a livelihood in Romania despite the odds. Concomitantly, I will also point towards the commonalities between them and Romanian migrants and imagine how these can metamorphose into ties of solidarity.

I agree with Sigona's reminder that paying attention to the structural factors that "illegalize" people should neither construct migrants as "passive and agencyless subjects" (2012, p. 51), nor that their predicament results in a "homogenous and undifferentiated experience" (p. 51). We already saw how labor is heterogeneous and multiplied, and I suggest we take a similar approach to look at people's experiences beyond the workplace. Narotzky and Besnier (2014) offer us a theoretical opening into the complexity of lived experience. They argue for a holistic understanding of "the economy", that factors in the importance of social relations, trust, care, and other forms of social action that might seem insignificant for traditional economic models. Instead, they ask how people make a living in times of crisis, or in contexts permeated by "radical uncertainty" (p. 13). Just as these people have varied livelihood projects, so do they develop a diverse array of "coping strategies" (p. 6)

To begin with, the mere decision to migrate to another country can be understood as a "strategy" to improve one's life. However, as some authors have argued, the structural obstacles migrants encounter on arrival might reduce their possibilities to 'strategize' (Williams, 2006; Datta et al., 2007). Instead of "strategies", De Certeau's "tactic", described as "an art of the weak" (as quoted in Williams, p.867), could account for the "relative powerlessness" that migrants might have in a system built to exclude them (Williams, p. 867), without sidelining the agency they possess. In that sense, the main difference between 'strategies' and 'tactics' lie in their temporality and the available resources. Thus, while coping strategies might suggest long-term plans focused on a broader stability, coping tactics represent immediate responses and actions to dealing with the precarity encountered, and with spontaneous shifts into insecurity. In light of the precarity described before, 'coping tactics' seem fitting to describe the kind of actions people (can) take. In that sense, I align with Williams's emphasis on the role of networks and social ties in how these coping tactics

are deployed.

During my fieldwork, I would notice how people found ways out of situations they were unable to solve on their own. This was often predicated on friendships, but also on other, looser affective ties, such as coming from the same country. People would lend money to each other; they would help people who got kicked out of their jobs or who couldn't stand the work conditions anymore to find another workplace; I even met someone who could forge 'good' Release Letters for people. These favors weren't necessarily free of charge, but even so, in the absence of institutions, governmental and nongovernmental alike, that would cater to the needs of this particular migrant worker community, people invented ways out. Or if they didn't invent them, they would guide people to the persons who could help them.

However, it was not just in critical moments when people came together. For example, as one of the first Sri Lankans to arrive at the factory, as well as one of the people who spoke English fluently, Sathsara soon became an important vector of information within the microcosm of the factory. This position enabled him to smoothen other people's "period of adjustment", as recruiters would call it, and this was something that the factory management tapped into. Nevertheless, recognizing how people's social ties are instrumentalized for the benefit of employers or recruiters, doesn't diminish the importance of these people to the community at large. Sathsara was able to inform people about their responsibilities, but also about their rights at the workplace, and as a technically savvy person, he would often help people transfer money back to their families. Even in critical moments, people had to lean into each other, as Asanka and his co-workers did when they were moved to a new accommodation: "We did a strike one day. Every Sri Lankan guys, we communicate we don't go to work because we cannot live there."

At the same time, it is not always about work. A lot of the time, social ties are also about finding ways to regenerate and offer space for social reproduction. Sathsara and his

housemates instituted a habit of cooking for each other when somebody would work the morning shift starting at 6 AM or the 12-hour shifts on the weekend. This arrangement not only allowed people not to worry about making food after a draining shift but also enabled them to share the tiny stove effectively and reduce food costs. In fact, it was often through food that people nourished social ties as well as themselves, whether that was by tipping people where to find fresh coriander which is uncommon in Romania, or by sharing a makeshift meal in the park.

People making chatpate - a crunchy mix of diced vegetables, ramen, and puffed rice - in Circului park.

People would also come together based on their religious beliefs. This is how one of Bucharest's Nepali Churches came into being. Reunited under the slogan "One European Union Country, One Nepali Church", every Sunday at noon sharp Christian Nepalis would congregate in prayer and song. With the permission of the pastor, I would come each week and sit on the left side of the room, together with the women, while on the other side, men were sitting, next to a wall where big white letters would spell words like "LOVE",

"TRUTH", and "HOPE". Over the two months I've joined them, there were more and more chairs added to the already packed rows. At each mass, new people would stand up to introduce themselves - their name, since when are they in Romania, and sometimes where they worked. Those who couldn't make it to the service because of work would watch it live-streamed on Facebook.

After the mass, until the Ukrainian community would start their own service at 3 pm, people would usually hang around to have some sweetened coffee and a chat with friends or people they just met. However, as people pointed out, it was not just Nepalis who joined the church, but also people coming from different religions or countries who needed a space to socialize outside of the dorm or the workplace. Besides private conversations, information was also exchanged during the religious service - one time the pastor asked the congregation to raise money for a fellow Nepali who was facing a harsh jail sentence in the UAE, because of a work conflict; another time someone advertised their new football practice group. The church was an important space not just for spiritual soothing, but also to find friends when your job would isolate you from the rest of the Nepali community, which was made evident by the all-women friend group, most of whom were nannies in and out of gated communities.

I will not go into detail on the importance of religion for migrant communities which has been thoroughly documented (see for example Hagan & Ebaugh, 2003; Hirschman, 2004). What I would underline is Levitt's insight about how "migrants use religious institutions to live transnational lives" (2003, p. 848), namely to develop and maintain connections that stretch over multiple locations. This is a useful reminder when thinking about how social networks exist and thrive across borders, as the transnational migration scholarship would have us remember (Faist et al., 2013). However, besides taking stock of the ties people have with their homeland (Levitt & Glick- Schiller, 2004), I would highlight how cross-border relations connect migrants in Romania to their co-nationals in other parts of

Europe and inspire them. Ideas and resources are spread online as well as offline and shape not only people's experiences but also their "imaginaries". In the cases where the reality in Romania doesn't fit people's idea of how they want to live their lives, what I have learned is that people might use these transnational social networks to move further.

Hearing about dreams of moving further to Western Europe was a common occurrence: close interlocutors as well as strangers would mention it at one point of our interaction. Everybody knew it was possible, whether they were seriously considering it or not - some people didn't shy away from the idea of crossing the border illegally, while others were convinced they wanted to get there legally, which is also why I once got a marriage proposal. Certainly, this possibility instituted people into various positions within the social network and also shaped the way they would spend their free time. For example, Asanka started learning Italian after work, and would proudly conjugate verbs when we would catch up on the phone. Another one of my interlocutors, who knew very well how the shifts worked in the factory, soon became the contact person for all the newcomers who arrived intending to migrate further and who wanted a smooth "escape".

Although this thesis is not necessarily about the people who leave or the people who use Romania as an entry point to Europe, I believe it's important to ask why would people, who didn't intend to leave Romania when they came, consider going further in a container? And while the reasons are as diverse as people are, perhaps we could explain this through the lens of social reproduction. While examining the European Commission's concern with "migrants absconding", Rajaram (2024) argues that this concern highlights a migration regime that culturally cheapens migrants. In this case, "to abscond", to go against a restriction on autonomy, or in this case, to leave Romania despite the way the Romanian infrastructure would like to immobilize you, should be seen as a transgressive act of people exercising their "right and capacity to participate and for an independent social reproduction" (p. 15). We

could understand this act as both a coping tactic and strategy: tactic when it comes as a last resort, for example, in the cases where people are "illegalized" with no other options to becoming regularized; and as a strategy of people for whom the possibilities in Romania are limiting their desired livelihood. Just as Romanians crossed borders in containers in the 90s in pursuit of a better life[34], these people's efforts should be understood as an attempt to improve one's livelihoods, in whichever way seems fit. Whether tactic or strategy, moving further necessitates tapping into networks on a transnational scale. Both of these options remind us that "social reproduction is important not only to understand mobility patterns, but also to highlight the tensions in social relations and worker resistance" (Alberti & Sacchetto, 2024, p. 118)

This brings me to the final point of the thesis which Subhan articulates concisely:

> Most of the [Romanian] people are immigrants here. I mean, they go outside, work, so they know the experience. And when we meet that kind of people and they are very....you know? "*Yeah, I know how it feels, I can understand you*". So they are trying to help. It's good.

I would be surprised to meet a Romanian who doesn't have at least one relative who's either living abroad or has worked in a different country. Countless stories, both firsthand and secondhand, should teach us something about a system that's here to eat all of us alive. Perhaps this is why it's hard to see the similarities: as Melamed (2015) outlines, racial capitalism *needs* "to invalidate terms of relationality" (p. 79), to separate us for the appetite of the beast (Fraser, 2022). However, by understanding how neoliberal capitalism works to marginalize not just undocumented migrants, but other groups as well, Rajaram (2016) suggests there is potential for political change.

I saw the seeds of that potential scattered all over the place: it was in the empathetic

[34] I thank my supervisor Johanna Markkula for pointing out this common container story to me.

employer who grew up in the US as her parents tried to make a living there; it was in the brief conversation Asanka had with a taxi driver about his work conditions, only for the driver to say that he experienced the same in the Czech Republic and while living in the UK; it was in the kind way a Romanian kitchen staff, who used to work abroad in agriculture, treated a young Nepali man working alongside her.

While this may be read as a naive optimism that seemingly forgets about the structural vulnerability aforementioned, let me assure you it is a conscious choice to look for openings and not fall into permanent despair. Also, showing a way doesn't mean we are collectively walking that path yet. In that sense, I align with Çağlar and Glick-Schiller's suggestion of placing "migrants" as well as "natives" within the same analytical framework (2018, p. 5). Aware of how neoliberalism breeds dispossession across diverse communities, should push us to think how both "migrants" and "natives" are striving for ways to "emplace" (p. 21), even though they might have access to different resources and power. Thinking beyond normative discussions on migrant integration, I argue instead we should understand how similar our struggles for a dignified livelihood under neoliberal capitalism are and actively seek ways to connect them.

Conclusion: What happens after?

Through an extended inquiry that included not only workers, but also employers and recruiters, this thesis mapped and analyzed the Romanian migration infrastructure in the beginning of 2024. This research has outlined the multifaceted precarity that South-Asian migrants experience in Romania, focusing especially on the legal precarity produced by state-warranted and commercially supported "Release Letter". This legal innovation, together with a generalized institutional deficiency or disinterest that translates into little support and long waiting times, entraps people into exploitative workplaces, or otherwise pushes people into

irregular, undocumented employment, where they are one control away from being deported. While this kind of insecurity vulnerabilizes the migrant, this configuration conveniently enables profit extraction on the part of employers and recruiters, whether they are aware of it or not.

Secondly, this project also looked at migrants' 'imaginaries' which merge Romania with Western European countries, and become symbolically valued through the supposed social protection and fairness that people have access to. This imaginary also becomes a selling-point of brokers in their home-countries. However, as I pointed out, people migrate to Romania not only because of these imaginaries, but also because, due to differently organized migration regimes, Romania is a relatively more affordable option than countries in Western Europe. Then, I talked about the mechanisms that cheapen migrants, namely the concealment of the social reproduction happening back home, and the insidious forms of othering and essentialization, which I read through the lens of racial capitalism.

Lastly, I tried to show the migrant as more than a worker by pointing to the ways in which they cope with the precarity they encounter in Romania and create dignified livelihoods for themselves. Thus, I chronicled the different ways in which they tap into both local and transnational networks to achieve their goals and I emphasized the similarities between them and Romanians who either migrate to work in Western Europe or deal with neoliberalism-induced hardships at home.

Consequently, this ethnographic exploration sought to contribute to broader discussions on transnational migration, labor regimes and racial capitalism by starting to unpack this new mobility. Its relevance lies in highlighting the similarities between Romanians and South-Asian migrants, who in different ways, and under different migration regimes, both become 'reserve armies of labor' that capital depends on. Thus, this project underscores the interconnectedness of global labor regimes, as well as point to how workers

are exploited across different contexts.

However, it is important to recognize the limitations of this study. The relatively short time and the reduced sample may have missed some nuance from the full spectrum of migrant experiences. Considering the amount of time invested into gaining access, the project would have benefited from a longer fieldwork period. Similarly, the language barrier remains an obstacle to understanding various migrant perspectives. For that reason, future research should strive to have not only translators, but most importantly, to collaborate with researchers who are native-speakers. Lastly, I believe anthropological research such as this could benefit from more collaborative methodologies, where migrant workers are directly involved in shaping the research agenda.

To conclude, as this project has only scratched the surface of this new mobility and its implications, more research is needed to gain a comprehensive understanding of the phenomenon. Building on the insights from my project, I will point towards a few potential avenues for future research: firstly, understanding how the Romanian migration infrastructure impacts women differently is crucial. Investigating gender-specific challenges and experiences could provide vital awareness about the unique obstacles faced by South-Asian migrant women. Additionally, examining the role of caste within migrant communities in Romania and its influence on networking and claim-making would be equally important.

Secondly, future research would benefit from extending beyond the "receiving-country bias" (Castles et al., 2014, p. 26) to consider the migration infrastructure in the origin countries. At the same time, comparative studies with other 'new immigrant destinations' in Europe are needed to provide a broader context and deepen our understanding of these unfolding phenomena. Another aspect which I believe deserves further consideration is about the experience of migrants who transition into recruiters and the way they see and legitimize the precarity within the migration infrastructure.

Additionally, long-term studies on the trajectories of South-Asian migrants in Romania are necessary to understand how their coping tactics evolve over time and also how they resist structures of exploitation to achieve their long-term goals. This is especially relevant in light of Romania's upcoming full integration into the Schengen zone. Will a more porous border facilitate migrants' ability to make claims and negotiate better working conditions and salaries? I'm thinking of one time in April, after the partial Schengen accession, when a migrant woman told me her sister now works less hours and is paid better, as her boss said he will do everything as long as she doesn't leave. This brings me to a whole other research area focusing on the people who use Romania as a transit country, as well as on the people who left, although that wasn't their initial plan.

Finally, there is also a set of more 'practical' questions that can be asked. For example, to what extent TCNs have access to healthcare? What about access to housing? And how does the financialization of housing and the rising cost of living in Romania, in particular, impact migrants? What kind of resources are available for migrants who become parents in Romania and what forms of citizenship does that create? Lastly, a more detailed account of their labor conditions could benefit from focusing on different industries to reveal the domain-specific experiences and dilemmas.

At the end of my first interview with Asanka, he started asking questions about me and about this master's thesis. Genuinely wanting to understand, he says: "You have done your project, then you handle to your professors. And what happened after? They read and they will give you marks and that's all?" I find his question essential: what happens after? Reflecting on this, I believe whatever knowledge is produced about people who happened to draw the shorter end of the capitalist stick, should be used to improve their livelihood, in whatever ways *they* see fit. This idea is echoed in decades of engaged anthropology, where scholars used research as a segue to activism (see for example Low & Merry, 2010, for a

discussion of its history, dilemmas and other forms of engaged anthropology). Obviously, having an idea about how a system of oppression is weaved, doesn't make one more equipped to untangle these strings. But it's a start. And so, as my final conclusion, I'll leave you with Asanka's words, who, as I'm writing this paragraph, is still waiting for his papers to be issued. In the end of that same first interview he told me: "I wish this will not be just a project, just a research. Something to take actions".

Appendices

1. More numbers

This table was created with data found in the explanatory memorandum of the governmental decision to approve the yearly quotas of admissible TCN workers [35]

Year	Government approved permit quotas	Issued work permits	Issued residence permits
2019	30000	29795	21268
2020	30000	22304	14413
2021	50000	49954	18096
2022	100000	108885	31356
2023*	100000	80375 + 9748 (pending)	35954
2024	100000	-	-
*between the 1st of January and the 9th of October			

[35] https://www.mmuncii.ro/j33/images/Documente/MMSS/Transparenta_decizionala/20221017_nf_proiect-hg-contingent-lucratori-straini-2023.pdf

https://www.mmuncii.ro/j33/images//Documente/MMSS/Transparenta_decizionala/NF_HG_contingent_straini_2024_100000.pdf

2. The bureaucratic procedure of employing a TCN worker:

1. Firstly, the employer has to announce in the local paper that they are hiring people. If nobody shows up, they declare a vacancy and then start the recruitment process.

2. This can be done either privately, or with the help of a recruitment company. The Romanian recruitment company usually collaborates with one or more recruitment companies from the origin countries. The bigger the recruitment company, the more manpower they can channel into different Romanian businesses and sectors.

3. The collaborating recruitment company in the origin country makes a selection they present to the Romanian counterpart, which it then presents to their client (the employer). The candidate theoretically goes through a few rounds of interviews - one time with the local recruiter and a second time with the Romanian recruiter that can be joined by the employer, but not necessarily.

4. Once the employer has decided on the candidates, they will start the bureaucratic procedure for requesting the issuing of the work permit (aviz de munca) which the candidate needs for the visa procedures. For the work permit, the employer needs to submit to IGI a few documents: 2 photographs of the candidate, a statement from the candidate that he is medically fit and that he has minimum knowledge of English, the job description, documents that attest to how the employer meets the general criteria for employing this person - for example, the fact that his activity matches the job offered to the candidate. There are several documents the employer has to submit such as proof that he is not criminally convicted, a proof that he is up to date with paying their taxes. With the accession to Schengen, the legislation also requires the employer

to have at least 1 year of activity in the field he wants to hire. This work permit should be issued in 30 days and for a permanent worker (and other types of workers) the fee is 100 EUR. The documents submission could also be done for the employer by the agency, with the power of attorney.

5. After this document is issued, the candidate can start the visa application. Besides the work permit, the candidate needs to have other documents such as a clean criminal record and medical insurance for the duration of the visa. The candidate would then have an appointment for an interview at the consulate or the embassy. In some cases, such as that of Nepal, they need to go to New Delhi, as there is no consulate or embassy of Romania in Nepal.

6. If the interview goes successfully, they get a visa ("viza de lunga sedere in scop de angajare/detașare"), valid for 90 days and they come to Romania as soon as possible to Romania. Once they arrive here, they have 15 days to sign the work contract. Before March 2024, the employer had 90 days to sign the contract, but the timeframe was reduced to dissuade employers who would fictitiously recruit people or employers who would change their minds in the process.

7. With the work contract signed, the employee can request the issuing of their temporary residence card, which before March 2024 was issued for 1 year and now it's supposed to be issued for 2 years.

8. If the person needs to leave the first workplace earlier than 1 year, they need to have the "written agreement" from the employer. Workers refer to this as the "Release Letter" which is why I take it up in my thesis.

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