Integration beyond 'modern slavery'? Vietnamese experiences of agency and precarity in the UK immigration system.

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Abstract

Vietnamese migrants have become coterminous with modern slavery in British media and policy discussions over recent years; they have been positioned in polarised ways as either vulnerable, passive victims of traffickers in need of rescue or as criminals breaching UK immigration and employment law. This view overlooks a much wider spectrum of experiences including those who are not deemed 'modern slaves' such as undocumented workers and those who are claiming asylum protection but still need to pay off their smuggler's debt. Our article problematizes modern slavery debates and public policy agendas which skew our understanding of issues facing 'low-skilled', undocumented Vietnamese migrants in the UK and their opportunities for integration. We deploy the 'precarity-agency' lens (Paret & Gleeson 2016) to better make sense of where vulnerability is produced and how it is managed. We argue for the need to move beyond narrow conceptions of modern slavery by paying greater attention to wider processes of precaritisation which reinforce migrant vulnerability and prevent integration, while also highlighting areas of migrant agency such as 'decisions to migrate', 'work choices' and 'social coping strategies'. Drawing upon in-depth interviews with migrants, we reveal alternative narratives which show how Modern Slavery policies preclude integration (broadly conceived) and instead enforce a very specific kind of 'subordinate incorporation' into the undocumented, precarious life in the UK.

Introduction

Controlling immigration and concerns around the security of national borders under the era of the 'migration crisis' has become heightened in recent years forming part of the 'hostile environment' in the UK.[1] Within this broader context, the fight against 'modern slavery' - an agenda underpinned by the Modern Slavery Act of 2015 (and the 2022 Amendment) - has formed a topical focus in the public debates around immigration, 'unscrupulous' labour practices and labour exploitation. While the Modern Slavery Act 2015 in Britain aimed to eradicate modern slavery through improving the existing legislation on Human Trafficking (the 2000 Palermo protocol) by the deployment of the '4Ps'; Pursue, Prevent, Protect, and Prepare,[2] it has arguably replicated the same problems of the anti-trafficking agenda by focusing on detecting and prosecuting criminals – traffickers, smugglers and being weaker on preventing and protecting.[3] The modern slavery approach has been criticised by scholars for its misunderstanding of international migration[4] through its over simplification of realities experienced by migrants[5] and the conflation of issues of human trafficking, smuggling and exploitation.[6] It has also been criticised for overlooking issues of global inequity[7] and paying little effort to locate these migrants within the broader workings of a global capitalist economy,[8] notably the economic demand for low-skilled labour and (undocumented) migrant labour. Undocumented Vietnamese migrants in the UK represent a particularly iconic group in debates around modern slavery occupying the top three nationalities of the most referred to the national referral mechanism between 2016-2021.[9] They have frequently featured in news coverage for exploitation in nail salons and cannabis farms, presented as either 'passive' victims of criminal trafficking gangs or gang members operating under criminal networks[10].

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[1] Griffiths, M., & Yeo, C, 'The UK's hostile environment: Deputising immigration control,' (2021) 41(4), Critical Social Policy 521–544.
[2] (HMO 2014
[3] Julia O'Connell Davidson Modern Slavery: The Margins of Freedom (Palgrave Macmillan 2015)
[4] Joel Quirk, 'When Human Trafficking Means Everything and Nothing' in Annie Bunting and Joel Quirk (eds) Contemporary Slavery: The Rhetoric of Global Human Rights Campaigns (Cornell University Press, 2017)
[5] Ibid, 3
[6] Lucy Williams, 'From Immigration Detention to Destitution. Criminal Justice Matters' (2015) [Online] 99:12-13. Available at: http://dx.doi.org/10.1080/09627251.2015.1026220. Accessed 18th November 2017
[7] Ibid, 3
[8] Ben Rogaly (2017),
[9] Home Office, Modern Slavery: National Referral Mechanism and Duty to Notify Statistics. UK, End of Year Summary, 2020. Available at: https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2020 (accessed 1 November 2021).

This article explores the impact of debates and policies around modern slavery upon the integration avenues for Vietnamese undocumented migrants in the UK.[11] The question of how we should consider the integration of migrants who do not have legal status has been a longstanding debate in the migration literature.[12] It raises broader questions about the role and value of migrants' contributions to host societies regardless of their legal status. The European Commission has defined integration as 'a two-way process which places certain duties and obligations on migrants and on the host society at both national and community level in order to create an environment in the host society which welcomes migrants as people who have something to contribute to society'.[13] Ager and Strang[14] have proposed key domains of social life where migrants' access and achievement are central to integration. In this article, we focus on two of these, 'employment' and 'processes of social connection'.

We explore the impact of Modern Slavery both as a policy and as a discursive frame upon the possibilities for integration of Vietnamese migrants in the UK. Using the precarity-agency lens to account for the interlocking of structural and micro-level processes of exploitation with agency, we argue, offers a more useful way of considering the position of migrants and understanding the possibilities of integration for Vietnamese undocumented, low-skilled migrants. We first examine academic debates around migrant agency and precarity to challenge and interrogate key principles of consent and agency underpinning the Modern Slavery agenda. Next, we explore how these operate in the lived experience of Vietnamese migrant experience through an analysis of in-depth qualitative interviews. We show how migrants already possess solutions to the barriers to integration through their everyday practices and expressions of agency. We also reveal how these tensions are experienced and managed in everyday life, and challenge the perceived tensions between mobility, social and labour rights and legal guarantees of full integration. This article makes the case that the modern slavery agenda conditions experiences of precarity *and* agency, informing decisions and experiences of the migratory journey, and thus crucially shapes dynamics of integration.

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[11] Ibid, 6

[12] see De Genova 2002, Martin Ruhs and Bridget Anderson, 'Semi-compliance and Illegality in Migrant Labour Markets: An Analysis of Migrants, Employers and the State in the UK' (2010) 16(3) Population, space and place 195–211; S. Chauvin and B. Garcés-Mascareñas, B, 'Becoming Less Illegal: Deservingness Frames and Undocumented Migrant Incorporation' (2014) 8 (4) Sociology Compass, 422–432

[13] (EC 2000).

[14] Ager and A Strang, Understanding integration: a conceptual framework. (2008) 21 (2) Journal of Refugee Studies,166-191

The discussion below identifies three key aspects of precarity-agency framing migrants' experience of integration including: decisions to leave, choices about work and participation in social networks. These areas lead to a process of 'subordinate inclusion' which represents an important, if imperfect (and perhaps less than ideal), form of integration.

Migrant precarity and agency in the global economy; a critique of the modern slavery lens

Critical migration scholarship has shown how the combination of a more restrictive immigration policy with a more liberalised economic policy renders migrants of many categories more vulnerable to various forms of exploitation (characterised as modern slavery). Kalleberg,[15] Standing,[16] and Burrawoy,[17] have argued that precarious work is the product of neoliberal economies and globalisation. At the same time as immigration controls have been challenged for having an increasingly exclusionary effect on migrants whose 'low-skill' labour is in high demand by nation-states,[18] migration regimes themselves have been seen as complicit in the production of precarity.[19] Development scholars, such as Deshingkar[20] and Deshingkar *et.* al[21] go further to show how the process of precaritisation forms a precondition for migrants in the Global South entering into the economic and political systems of international labour circulation. Legislation aimed at protecting migrants like anti-trafficking and the modern slavery agenda, conversely often has unintended consequences.[22] Robinson has argued that the UK labour market is structured in a way that facilitates the risk of exploitation while providing an absence of safety nets for workers who

[15] Arne Kalleberg,"Precarious Work, Insecure Workers: Employment Relations in Transition." (2009) 74 (1): American Sociological Review 1–22.

[16] Guy Standing, The Precariat: The New Dangerous Class. (Bloomsbury 2011). 5

[17] Michael Burawoy, "Facing an Unequal World." (2015) 63 (1) Current Sociology 5

[18] Bridget Anderson 'Us and Them?: The Dangerous Politics of Immigration Control' (OUP 2013); Bridget Anderson, Bridget and Martin Ruhs. (eds.) 'Who Needs Migrant Workers? Labour Shortages, Immigration, and Public Policy' (OUP 2010)

[19] Marcel Paret and Shannon Gleeson, 'Precarity and agency through a migration lens', (2016) 20:3-4, Citizenship Studies, 277- 4

[20] Priya Deshingkar, The making and unmaking of precarious, ideal subjects – migration brokerage in the Global South, (2019) 45: 14 Journal of Ethnic and Migration Studies, 2638-2654

[21] Priya Deshingkar, C. R Abrar, Mirza Taslima Sultana, Kazi Haque, and Md Selim Reza, Producing ideal Bangladeshi migrants for precarious construction work in Qatar, (2019) 45:14 Journal of Ethnic and Migration Studies, 2723-2738,

[22] Jens Lerche, 'A Global Alliance against Forced Labour? Unfree Labour, Neo-Liberal Globalization and the International Labour Organization.' (2007) 7 (4) Journal of Agrarian Change, 424-52.

'get into trouble'.[23] Rogaly[24] argues further that 'the conflation of worker abuse, slavery and trafficking in legislation such as the Modern Slavery Act may move public attention away from the range of ways in which capitalism itself creates, perpetuates and relies upon forms of 'unfree labour'. Modern Slavery may more accurately describe the treatment of undocumented migrants by governments in western societies rather than their conditions of work.[25] Specifically, Williams notes that the modern slavery agenda is symptomatic of a dysfunctional British immigration system which 'strips rights' from large numbers of migrants in the UK.[26]

Recent scholars such as Paret and Gleeson[27] have called for the use of the concept of 'migrant precarity' which, they argue, unlike 'insecurity' or 'vulnerability' emphasizes the way in which 'micro' processes (experienced by migrants) connect to 'macro' processes related to broader political and economic structures,[28] and call for connecting migrant experiences to the study of these broader macro shifts. Precarity maybe experienced in a number of reinforcing ways such as vulnerability to 'deportation regimes',[29] exclusion from public services and state protection, insecure employment, exploitation at work, insecure livelihood, everyday discrimination or isolation.[30] Other scholars have highlighted the inherent role of agency in these processes and cautioned against distinctions made between precarity (or subjectivisation) and agency, [31]and coercion or choice,[32] instead viewing these both as part of the migration process. Paret and Gleeson[33] refer to the 'migrant agency and precarity lens' in which different forms and degrees of agency have been identified in the migration experience and in experiences of migrant precarity. In a rejection of classical theories of migration which are based upon a rational choice decision-making, critical migration theories prioritise a more nuanced focus on constrained choice, which give rise to a range of different forms of agency. Such forms of agency could be useful in thinking about

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[23] Caroline Robinson (22 December 2015) Modern slavery and labour exploitation: the UK government's dilemma, Open Democracy, view at https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/modern-slavery-and-labour-exploitation-uk-s-government-s-dilemma/
[24] Rogaly 2015
[25] Ibid, 6
[26] IOM. 2006. *The Vietnamese Community in Britain*. London: Home Office
[27] 2016
[28] Ibid, 19 (Paret and Gleeson 2016)
[29] Nicholas De Genova, 'The Deportation Regime: Sovereignty, Space, and the Freedom of Movement' In Nicholas De Genova and Nathalie Peutz (eds) The Deportation Regime: Sovereignty, Space, and the Freedom of Movement, (Duke University Press 2010)
[30] Ibid, 19
[31] Ibid, 20
[32]Ibid, 3
[33] Ibid, 23

how migrants find innovative ways to overcome barriers to participate in host societies and highlight the various benefits they can bring to societies.[34] Paret and Gleeson outline four broad forms of agency including; 1) migrants' decision to move 2) individual agency of workers 3) collective organising and 4) organising in other arenas of social life. However, while useful for delineating more emancipatory forms of agency they do not take into account more informalised or smaller forms of agency that do not directly impact upon broader migrant conditions. Deskinghar[35] goes further by distinguishing between forms of individual agency which can present informal contestations and formal legal forms. In the former, Deshingkar recognises 'survival strategies' as a form of constrained agency, 'even though this may not be emancipatory'.[36] Such survival strategies may be useful for understanding the experiences and responses of migrants who are more atomised or isolated in the economy and/or who experience a less-traditional form of migrant collectivisation, such as Vietnamese migrants in the UK. Such strategies may also form the precursor to developing future stronger forms of agency which can in turn contribute to the process of integration.

Methodology

This article draws upon the analysis of in-depth interviews with Vietnamese migrants in the UK and Vietnam, as part of a broader project exploring the relationship between urbanisation patterns in Vietnam and migration to the UK in three key sending regions in Vietnam; Hai Phong, Nghe An and Ha Tinh[37]. Of the 28 migrant interviews we conducted, 12 were conducted in the UK, and 16 in Vietnam (12 had returned from the UK; 4 were considering going to the UK). At the point of interview participants occupied a range of different migration statuses including those with Leave to Remain in the UK, asylum seekers, those on student visas and those currently without documents who had either overstayed their visas or had arrived in the UK through irregular routes and were living without documents. The majority of our migrant participants were men (n=20) and a smaller number were women (n=8). This reflects the estimated gender composition of recent Vietnamese migrants of

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[34] see Klarenbeek *et* al (this issue).
[35] Ibid 20
[36] Ibid 20, (Deshinkgkar 2019), p283

which men represent between 70%—80%.[38] Current and prospective migrants ages ranged between 24-38, while returnee migrants were aged between 35-45.

Interviews were conducted in English or Vietnamese and were recorded, transcribed and translated for analysis. Most of the interviews were conducted in person and a small minority were conducted online, due to COVID social distancing restrictions. The interviews were designed to encourage a life story approach[39] to prioritise understanding of the 'situated self' which locate individuals and their migration stories within their broader social, familial and economic context.[40] Given the potential vulnerability of migrants and the sensitivity of the topic, the life story approach helped to contextualise individual experiences within the wider social and cultural frameworks.

Given the sensitivities of many of the participants, every care was taken to ensure full compliance with ethical procedures. These included assuring full anonymity in research outputs, reminding participants of their freedom not to answer questions, to stop the interview and to contact us afterwards if they wanted to withdraw their interview. Interviews were conducted in places chosen by our participants (e.g. cafes, support agencies, participants' homes, or online). To ensure anonymity we have removed any details or information which may make our participants or their acquaintances identifiable. All names used in this manuscript are pseudonyms. Ethics were approved by the Oxford Brookes University Research Ethics Committee (UREC).

'Low-skilled' undocumented Vietnamese migration to the UK

Prior to analysing the interview data, it is important to consider the context in which such migration takes place. Since the early 2000, new forms of migration from Vietnam to the UK has included student migration and undocumented low-skill labour migration which have been distinct from the early refugee community which arrived between 1979 and early

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[38] P. Hynes, P. Burland, A. Thurnham, J. Dew, L Gani-Yusuf, V. Lenja, V. and Hong Thi Tran with Olatunde, A. and Gaxha, A., 'Between Two Fires': Understanding vulnerabilities and the Support Needs of People from Albania, Viet Nam and Nigeria who have experienced Human Trafficking into the UK, University of Bedfordshire and International Organization for Migration (IOM 2019)

[39] F. Kapitani, F and N. Yuval Davis"Participatory Theatre as a Research Methodology: Identity, Performance and Social Action Among Refugees"(2008) 12 (5) Sociological Research Online 13(5); 2 1

[40] See Umut Erel, Constructing Meaningful Lives: Biographical Methods in Research on Migrant Women. (2007) 12 (4) Sociological Research Online

1990s.[41] These new migration trends emerged as part of a broader softening of visa policies in Vietnam[42] which came hand-in-hand with a rise of Vietnamese nail salons and restaurants in the UK. Nail salons have been a successful and distinctly Vietnamese niche economy in America[43] and flourished in the UK as a consequence of the transnational links between the two diaspora communities.[44] At the same time an emerging Vietnamese-dominated cannabis industry (originated from Canada in the 1990s) established itself in the UK and acted as a significant 'draw' for unskilled Vietnamese labour migrants.[45] Before this, there was no existing route for Vietnamese 'unskilled' labour migrants to work in the restaurant or nail salon sectors (nor indeed the illegal cannabis industry), and there still exists no legal channel for low-skilled labour migrants from Vietnam. Estimates of the number of Vietnamese undocumented workers in the UK have ranged from between 20,000[46] to 71,000.[47]

Recent reports have revealed various routes and motivations for leaving Vietnam citing 'push' factors (e.g., unstable employment, family debts, abuse and harassment) and 'pull' factors (e.g., friends and family in the UK, economic opportunities, human rights, aspiration for a better life).[48] However, the data from these reports are limited by their focus migrants who have been identified as victims of trafficking. In the poorer central regions of Vietnam (Nghe An, Ha Tinh, Quang Binh), coming to the UK to grow cannabis is a well-known labour migration strategy. In our research, growing cannabis in the UK is a relatively normalised activity in sending communities where it might be referred to as 'farming'.[49] In certain provinces of Vietnam going abroad to the UK to grow cannabis or find work in a nail salon has become an expensive but common labour strategy, especially where difficult agricultural conditions offer few alternatives. In some districts in the developing provinces of Nghe An, Ha Tinh and Quang Binh, it is common for families to send one family member to the UK as part of a household economic strategy. Similar trends have also been observed

[41] IOM The Vietnamese Community in Britain. London (Home Office 2006)

[42] Pham 2010 Andrew Pham, 'The Returning Diaspora: Analysing overseas Vietnamese (Viet kieu) Contributions toward Vietnam's Economic Growth' (2010) DEPOCENWP Working Paper Series
[43] Susan Eckstein and Thanh-Nghi Nguyen. 'The making and transnationalization of an ethnic niche: Vietnamese manicurists'. 2011 45 International Migration Review, 639–74.
[44] (Bagwell 2008, Author 1 2015)
[45] Bagwell, S. 2006. "UK Vietnamese Businesses: Cultural Influences and Intracultural Differences." Environment and Planning C: Government and Policy 24 (1): 51–69 Silverstone and Savage 2010).
[46] Jessica Sims (2007) The Vietnamese Community in Great Britain: Thirty Years On—A Runnymede Community Study. London: Runnymede.
[47] Holly Baxter, 'Nail bars: modern-day slavery in plain sight? (20 Aug 2013) The Guardian
[48] Daniel Silverstone and Claire Brickell. (2017) Combating Modern Slavery Experienced by Vietnamese Nationals en-route to, and within, the UK, Independent Anti-Slavery Commissioner: London
Authors 2016 and forthcoming
[49] also see Ibid 51 (Silverstone and Brickell 2017).

with Vietnamese migrants in South Korea and Japan.[50] These studies have shown that despite experiences of difficulties abroad relating to the repayment of debt, the widespread perception is that for the vast majority they have been able to enrich their families' lives, build new houses, pay for health care, and as returnee migrants their social status had been elevated.

Findings from our research confirmed existing evidence that migrants had consented to migrate and have paid brokers to go to the UK[51] and have support from their UK based relatives or friends on arrival. The participants in in our research entered the UK either through non-traditional routes, using false documents or on short-term visas and became 'overstayers' and were located in low wage/low paid labour sectors (nail salons, restaurants, cannabis farming). There was little formal contact between new migrants and the established Vietnamese diaspora community in terms of seeking support or advice, instead much of this took place on social media. In addition to the economic and environmental motivations noted above, individual aspirations were also shared such as wanting to live in democracy, experience better human rights and education (for themselves or for children in the future). Cultural and social media narratives in Vietnam have often glorified migration and associated it with notions of 'success'.[52]

In what follows, we discuss decisions to leave, as a key the agency strategy in the precarity agency lens set out by Paret and Gleeson[53], before going on to consider survival strategies, as a more informal form of agency highlighted by Deshingkar[54]. We thus engage both with a critique of the modern slavery lens as presenting barriers to integration (through both its discourse and policy application) as well as demonstrating how migrants express agency and engage in forms of (subordinate) participatory inclusion, which may offer solutions to overcoming barriers to integration.

Decisions to leave Vietnam; agency and precarity

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[50] Daniele Belanger, "Labor Migration and Trafficking among Vietnamese Migrants in Asia" (2014) 653 The Annals of the American Academy of Political and Social Science ; 87-106; Lan Anh Hoang "Debt and (un)freedoms: The case of transnational labour migration from Vietnam" (2020) 116 Geoforum, 33-41

[51] Nicolas Lainez, (29 November 2017) Modern Vietnamese Slaves in the UK: Are Raid and Rescue Opereations Appropriate? Open Democracy, view at: https://www. opendemocracy.net/beyondslavery/nicolas-lainez/ modern-vietnamese-slaves-in-uk-are-raid-andrescue-operations-appropriate

[52] Authors 2016

[53] Ibid, 24

[54] Ibid, 25

Across our data, 7 out of the 28 participants described themselves as being coerced into unknown circumstances and were currently in the asylum system after having been trafficked and exploited on their journey; 3 of these were also directly fleeing persecution in Vietnam. Being coerced tended to impact participants' ambitions and life goals differently, such as not wanting to return home because of the shame of abuse and exploitation during the journey. These participants were often also in a more precarious position in Vietnam, which in turn influenced the degrees of control they had over their journeys. The majority of our participants, however, discussed very carefully planned journeys which were based around ambitions to achieve and realise various life goals, such as starting a small business (to avoid the poverty of agricultural work in Vietnam), building a house, investing in buying land in Vietnam, paying for children's education and parents' medical costs, returning to Vietnam, staying in the UK, and raising a family. Based upon knowledge passed back from friends or family who had previously migrated to the UK, our participants made their assessment based upon notions of economic risk. Uncertainty and luck featured strongly as part of the decision-making process, as exemplified below:

> With our current salary, on average, we earn 30 million [Viet Nam Dong] per month, so it would need around 10 years [to buy a house]. It is always burning in my head how to get out of this poverty. I have been researching this carefully, for example, I will decide to go there only if I can earn at least around 60 - 100 million [VND] a month. I thought about the worst thing that can happen to me when I am there…what if I am unemployed?
>
> (Nam, prospective migrant, male, late 20s, Hải Phòng)

Here we see a weighing up of different constraints which highlight personal, social and financial risk. Here the risk of 'seeming like a failure' was a jeopardy to be avoided. In addition to financial calculations, a sense of the intensity of work required also factored into migration decisions:

> "To be honest, those who go there <u>must be very strong</u> and have to find their way over there. They <u>cannot sit in one place and wait</u> for the opportunity to come, and people will naturally give them money, because they only earn money if they work. But with the <u>intensity of the work</u> there [UK], they have to put a lot of effort into it. And when

they put <u>too much effort</u> that exceeds their ability, they gradually become exhausted. I have to consider those things. I have to ask my family there [UK] to support me in getting a job. But the main thing here is, I have to try my best at my work over there…to take care of my family better."

(Vinh, prospective migrant 2, male, early 30s, Hải Phòng)

As illustrated above, discussions of work tended to be narrated in relatively matter-of-fact ways, but the main area of precarity was experienced in crossing the border to the UK and when being processed in the UK immigration system. These were the unknown aspects which could not be so easily predicted in advance. This also chimed with our analysis of online data from a UK based website, where a total of 1564 enquiries were made about visa, asylum or settlement related documents, while only 231 enquires were made about issues relating to working or studying in the UK. This was expressed by one trafficking expert/practitioner, also interviewed as part of the project:

"over the last 10 years, about 90% to 95%, of the Vietnamese victims of trafficking that I've dealt with them started their journey, as a migration journey. They have started that journey, believing to have some sort of migration experience, which will lead them to a better life …"

(Trafficking Expert, UK/Southeast Asia, 2022)

This aspect of precaritisation through the uncertainty of migration journeys has been critiqued as being engendered through the progressive securitisation of UK borders and strict border enforcement regime in UK.[55] An example of how border precarity was experienced and made sense of is illustrated below:

"Because before, we only worked in the field, so the income was almost nothing. Then I had to migrate. … I didn't know where you went through, just followed the guide because I didn't know the language…the migrants and the guide go only if they want to. Like the danger on the journey to go there depends on ourselves. It's us who want to go. So, many people cannot see that it's people who wish to go, not that the

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[55] Vicky Squire Europe's Migration Crisis: Border Deaths and Human Dignity (Cambridge University Press 2020)

guides con them or entice them to go."

<div align="right">(Huy, Male, Returnee, early 40s, Ha Tinh province)</div>

This extract from Huy, refers to the final stages of the journey to the UK from northern France, which by contrast to the carefully planned stages discussed from Vietnam, cannot be well planned given the need to be adaptable and defer to the experience and authority of the 'guide' to ensure a successful crossing which circumvents legal and border controls. It exemplifies the complexities of the willingness and apparent consent, overwhelmingly expressed by participants in discussions about their decisions to migrate. The nuance between consent and coercion is also explained by another participant who discusses the negotiation between mutual care and expedience:

"my parents supported me, because as parents, everyone wants the best for their children. But my parents also knew the danger to me if I stayed in Vietnam, so they tried to support me to go to another country. They contacted some of their friends who they know in Nghe An and arranged this journey… my parents don't know the things that I went through on my way here from Vietnam. I think that if I tell them, my parents will be sad and heartbroken, so it's not good for their mood, for their health. Another thing is that even if I had mentioned it, those are things that had passed, it wouldn't be of any help so it's best to just keep it to myself. The happy things I should share with everyone, but the sad things, especially things affecting my body and health… In general, bad memories should not be told to others, especially relatives, it doesn't solve anything."

<div align="right">(Dinh, male, Asylum Seeker, 24, Scotland)</div>

In the extract above Dinh explains his avoidance of disclosing his painful experiences in the container-lorry and of labour exploitation in forestry work during his journey, for fear of further (re)traumatizing others. In these accounts above we see a distinctive combination of agency and precarity in decisions to leave. Agency, to leave and the active support of parents to leave, precarity during the journey, and again, agency to control perceptions of family members back home and to protect them from shared trauma of the journey. As highlighted by Paret and Gleeson, the precise balance between precarity and agency has important implications for the

experiences of integration. Dinh may be seen as asserting a form of agency to overcome social perceptions of his precarity in order to enhance his inclusion both at home and in the UK.

Agency and precarity in the labour market: survival strategies

Once they had arrived in the UK, our data showed that migrants tended to focus mainly on strategies to paying off debt, decisions about their migration status in the UK and family life in Vietnam. Discussions of work featured in their narratives in a relatively mundane way, focusing on hours, the role of the work for their overall migration project. But, unlike Waite *et al*[56] who found a prevalence of workplace exploitation in the accounts of their undocumented, asylum seeking or trafficked participants, our participants did not indicate experiences of exploitation - which we argue seems to be linked to the presence of co-ethnic mutual support networks[57]. Participants instead discussed their anticipation of hard work and their willingness to engage in such work (as seen above) and spoke about their employers as supportive and enabling to their social and economic inclusion. Instead, precarity was narrated in relation to the UK immigration system and outcomes of its enforcement such as 'raid and rescue' or their experiences under the covid pandemic due to no recourse to public funds (NRPF). This dynamic is illustrated by the participant below who reflects upon the events leading up to his decision to work in a cannabis farm:

> "Who didn't want a stable straight job with reasonable income? But we should have valid papers and certificates for working in nail bars or restaurant kitchens. Otherwise, we had to work illegally, and of course, with low wages. But it wasn't easy being admitted to work illegally either. Employers were afraid of being fined. The law had it that employers would be financially punished or even forced to close their business once proved of hiring undocumented workers. Hence, employers must protect themselves before deciding to help us. Then, we had no other choice but to take risks. Couldn't wait for death to come, right?"
>
> (Duc, 40 years old, undocumented, Hải Phòng).

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[56] L.J. Waite, H. Lewis, S. Hodkinson, and P. Dwyer, 'Precarious lives: Experiences of forced labour among refugees and asylum seekers in England' (2013) Research Report. University of Leeds accessed 2 October 2022
[57] While this could be interpreted as protecting employers, given the rapport during the interviews and the presence of Vietnamese interviewers, our assessments of the interviews were that this was not an active omission. This also corresponds with other literature like Lainez (2017)

Experiences of working in cannabis farms were weighed up in ways that were narrated as 'acceptable' and 'worthwhile'. An example of this is demonstrated by Ngoc a returnee migrant (who returned to Vietnam in 2021). After describing his tasks tending to the cannabis farm, which relate to tending to the plants, spraying them and monitoring the indoor air system, he describes his work as follows:

> "The good thing is that going to work is only a few hours a day, but after doing it, I lie down and play on my phone all day, very happy, not miserable… the only mental suffering [is] being away from family, away from my wife and children. But if we talk about hard work, about ourselves, it's not that hard, it's just the beginning, about the first 2-3 months, we have to build it, then worked hard a bit but after that it was fine, a month we worked hard for only 2, 3 nights, the rest was normally sleeping… I think that if you are lucky, the money you spend with the risk is also acceptable".
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> (Ngoc, male, returnee, formerly undocumented, age 30, Nghe An)

Likewise, another undocumented returnee participant describes his experiences of working in the restaurant sector, which by contrast to the cannabis farm, offered a stable employment and where his employers assisted him with living arrangements to ensure he could keep rent and living costs low to make his money go further:

> "in general, I got support from friends. I only went there because I had friends and relatives… I only worked in the restaurant. And also, because working in the restaurant took most of my time already. I worked there for up to 10 hours. The income from working in the restaurant was quite stable. Each month they paid me from £900 to £1200…I lived outside of the restaurant, in an apartment. It costed £100 to £200, I ate in the restaurant. I paid around £100 for the rent…Those who have paperwork and live there have a more stable and higher salary, higher than people who don't have paper."
>
> (Quan, male returnee, formerly undocumented, late 30s, Ha Tinh)

A sense of stability is drawn out by the opportunities this employment arrangement afforded Quan, combined with an affordable shared accommodation arrangement facilitated by his co-ethnic friendship network which enabled him to repay his migration debts. This low but stable salary combined with long working hours enabled him to achieve his goal of sending remittances home. Challenging the criminal/victim binary whereby employers are deemed as exploiting vulnerable workers, these extracts add nuance to this debate by reframing these relationships as 'support networks'.[58] Such arrangements are offered by co-ethnic employers in lieu of having no recourse to public funds, being subject to unemployment and not being able to pay off migration debt. The role of 'employers-as-friends', and a sense of the inevitability or acceptance of undocumented workers' position compared to documented workers indicates a sense of inclusion both socially and economically, albeit partial and incomplete (in a temporal sense). Although integration plans often cannot be planned long-term (given the impossibility of legal status), social integration here was very much limited to co-ethnic Vietnamese networks representing the notion of 'subordinate inclusion'.[59] According to Chauvin and Garcés-Mascareñas[60] this form of inclusion particularly in relation to trusted local networks is often precipitated by civic *exclusion* experienced by irregular migrants. A different participant, Quang, evaluates his work in a nail salon as preferable for economic inclusion, both in terms of exertion and level of pay:

"According to my experience, the job in the nail salon is not that hard. Compared to other jobs that are in restaurants or construction, nail work is not that hard, but it is a job that many people are not allowed to do. … Vietnamese people pay the salary for newcomers, apprentices or skilled people. but if you haven't been able to work legally, the pay is quite stable, ok…About my thoughts and myself, I feel that it is comfortable, I don't have any pressure about work but there is only one thing that I am worrying about. I'm worried that at some point it will be … by the Home Office, like they will go to check the nail salon and catch me while I am working there."

(Quang, Male, 38, asylum seeker, Scotland)

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[58] L. S. Zhao, Ethnic Networks and Illegal Immigration (2013) 46 (3): Sociological Focus 178-192.
[59] Ibid, 12 (S. Chauvin and B. Garcés-Mascareñas),
[60] Ibid, 12 (S. Chauvin and B. Garcés-Mascareñas),

Quang's simultaneous sense of personal agency to choose work in the nail salon over work in other less favourable sectors combined with a sense of precarity of being discovered, is a distinctive and common theme in the data. The comment about 'many people not being allowed to do it' refers to the fact that they are working illegally. The participant expresses his 'comfort' around the work itself and the working relationships which are presented in an amicable and non-coercive way presenting employers-as-friends.

Working in the nail salon was also experienced by other participants as an industry of hope, offering 'stability', relatively good pay and less arduous work, rather than one of exploitation.[61] These extracts illuminate a disconnection between the narratives being built by the state and its law (which portray the state as "saviour", attempting to identify and disrupt actions of smugglers and unscrupulous employers), and the realities experienced by the migrants (where their smugglers and employers act as allies and support network). These false narratives may lead to ethical dilemmas where the migrants may be forced to report or testify against their smugglers or employers to achieve necessary migration statuses, such as a victim of trafficking, for which exploitation must be established.

The extracts above also reflect how migrants' precarity is rendered worse by the extra risks they are forced to take, due to the Home Office's tightening 'raid and rescue' policies under the framework of the modern slavery agenda. It has been well evidenced that having the right to work is fundamental to the well-being, and future integration of asylum seekers[62] and undocumented migrants[63] enabling them to feed themselves, feel dignity, and pay off their debts. Although Waite *et.* al[64] have demonstrated how migrants' desperation to work can often push them into situations of exploitation, in our data Vietnamese undocumented migrants and asylum seekers narrate a sense of agency through their decisions to take up the work when it is offered to them. This was a shared experience across all participants in our study. As Chauvin and Garcés-Mascareñas[65] have noted 'irregular migrants' subordination is

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[61] This is also a common perception from people who wish to migrate to the UK
[62] Refugee Action (2020) 'Lift The Ban: Why giving people seeking asylum the right to work is common sense' available at: https://www.refugee-action.org.uk/wp-content/uploads/2020/07/Lift-The-Ban-Common-Sense.
[63] Mauricio Ambrosini Irregular Migration and Invisible Welfare. (Palgrave-MacMillan 2013)
[64] Ibid, 57
[65] Ibid, 12

ensured not only through their official exclusion from the labour market and other well-protected domains of the nation-state but also through the discipline imposed by the threat of detention and deportation'.[66] This alludes to de Genova[67] notion of 'deportability' as it both limits their economic claims and perpetuates their precarity and controllability. A key feature of our data was on how to navigate the strict UK immigration system not the coercion of the employers.

The negotiation of issues discussed above by Vietnamese migrants demonstrates how support offered by co-ethnic networks enables migrants to use their agency to mitigate the worst effects of their precarity in the hostile environment created by the UK immigration system.[68] The survival strategies above illustrate the importance of developing a sense of dignity among the migrants as well as showing how systems that make migrants more legally vulnerable, can actually work to reinforce a particular kind of integration – subordinate incorporation which provides a social comfort, participation and economic survival. Situating these responses within the broader legal context, it can be argued that the precarity created through the mismatch between a restrictive immigration system (which does not recognise this category of low-skilled labour migrants) and the liberal labour market (where market demands in the restaurant and beauty industry), compel migrants to develop agency through 'survival strategies' by a system forced into such. As a result, Vietnamese migrants are forced into even riskier labour market sectors (such as the cannabis industry) where they can increase their chances of paying back their debts before they are identified by the police and immigration authorities. Such strategies, as identified elsewhere[69], may in fact increase a sense of 'subordinate inclusion' into local networks, due to a fear that going outside co-ethnic networks will expose them to a greater risk of detection This adds further support to the critique of the policy of 'raid and rescue' as placing migrants in further jeopardy rather than protecting them, because it overlooks their need to earn money to feed themselves and their families back home.[70] While the majority of our participants expressed that co-ethnic networks provided them with protection and enabled integration, a small number experienced

[66] Ibid, 12
[67] de Genova (2002)
[68] Maya Goodfellow, Hostile Environment: How Immigrants Became Scapegoats (Verso 2020),
Ibid 3 and 12
[69] Refugee Action (2020)
[70] see Ibid 54 and 70

exploitation, especially in the cannabis industry, where they had been robbed and beaten up by rival Vietnamese gangs.

In this sense, Williams[71] argues that modern slavery best describes the treatment of labour migrants at the mercy of Western immigration systems rather than of their traffickers. In the next section, we develop this further by showing how Vietnamese undocumented migrants who are precarious in the system develop survival strategies through social networks to cope with their situations. We argue such strategies challenge the construction of migrants as 'passive victims' set out in the Modern Slavery Act which not only erases their humanity and capacity for agency, but also overlooks the solutions they already pursue.

Everyday practices of agency: strategies for social and economic survival

Migrants engaged in various practices to find everyday solutions to their precaritisation to overcome barriers to social and economic incorporation. This sometimes included taking risks with their pathways to legal integration to invest or plan for future economic pathways to inclusion.

> "Firstly, it [nail salon work] also has potential for my future, I accept that I work in an illegal way so that I can hone my skills. In the future, if I have the opportunity to be accepted for asylum here, I have the possibility that I will go to work and earn money so that later I can open a salon, a small nail salon to work. to feed myself and possibly my whole family. That said, when I am accepted as an asylum, my experience will improve. Almost everyone has the same thought that in the future, the market for beauty industry will increase more and more, so I have to take the risk now of having to work illegally to learn from my experience later."
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> (Quang, 38, asylum seeker, Scotland)

Here the risks of 'illegal' work are weighed up against the need to make an investment for future economic integration. Quang is clear of how and where he can contribute to UK society and the economy. This reflects a widespread practice and desire among asylum seekers facing long waits for their application to be processed, to seek work in an attempt to invest in their

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[71] Ibid, 12

integration,[72] and even engage in attempts to achieve 'moral deservingness' as a route to achieving 'legal deservingness'.[73] For Quang, the impossibility of waiting for an asylum claim to be processed (which can take years) is put in juxtaposition to the need to become embedded into a sector and become skilled so he can contribute to UK society and also support his family. Notably, Quang's decision to work in the nail industry, a sector that is not included in the Shortage Occupation List permission, even though claiming asylum poses significant risks for his asylum application. Quang explains how his humanitarian case for political persecution does not change the need for him to pay off his smugglers' debts, nor need to feed his family left behind in Vietnam. For successful 'integration' to take place, the precarity-agency lens is useful in elucidating how migrants make sense of their options in the host society regulations and evaluate the competing risks both in Vietnam and the UK.

Other forms of survival strategies took the form of finding ways to become more socially embedded beyond trusted co-ethnic networks (including British, Afghani and Pakistani) through a form of resource exchanges which offer social and economic safety nets and participative inclusion. Such strategies are seen in the example of Dung:

> "I really like computers, so sometimes I help building a website and stuff like that…I couldn't say it is a job, but I would say it's a help. In return, they sometimes invite me to dinner or give me a little bit of money, but I wouldn't say it's a job. I would say it's like I have [something] in return".
>
> (Dung, male, 24, undocumented, Birmingham)

Dung also offers other examples of 'patchworking' that enable him to develop a sense of being connected and developing his skills and networks through volunteering as a teacher's assistant at his old school, developing his Vietnamese connections by working in the evenings in a restaurant or nail shop. Likewise, Quang the participant above also elaborates how he develops a sense of dignity and finds a role in his community by sharing advice and resources in the Vietnamese community.

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[72] Refugee Action (2020); Ibid, 64
[73] Ibid, 12 (S. Chauvin and B. Garcés-Mascareñas),

"I tell them where to learn English for free, where to get free food or where to get the digital devices, the [NGO] organizations... And actually the people whocame from the same village, the same hometown, they want to help the others who also came from the same place like them. So, when you face any difficulties, we usually give cash, provide food for them".

(Quang, male, 38, Asylum Seeker, Scotland)

Such forms of social 'bartering and 'sharing resources' serve as a kind of social integration, both through the development of social dignity and as a way to build connections and social solidarity in times of economic and legal precarity.[74] Dung describes his social networks as a form of 'family' where he feels 'luckier' than most Vietnamese migrants because he has built connections that cross ethnic boundaries involving Pakistani and Afghani friends as well as his (white) foster family who supported him beyond legal guardianship, as a visa 'overstayer'. Whilst the importance of co-ethnic networks has been well documented in the migration literature,[75] and among the Vietnamese[76], connections and civic participation beyond the co-ethnic community may present an extra sense of security in the form of social solidarity which offer bridging social capital (Putnam 2006), which reduce the risk of deportation by greater visibility and ability to demonstrate 'moral worthiness'.

Modern slavery: coercion, agency and precarity?

Our findings on agency, precarity and subordinate inclusion under the UK immigration system prompt us to reflect further on upon three areas of critique which challenge intentions underpinning the Modern Slavery agenda and its effectiveness. Our first critique relates the Modern Slavery agenda's blind spot towards the link between labour market liberalisation and the production of modern slavery. The labour market demand in the nail and restaurant industries in the UK is not supported with an equivalent immigration route into the UK and our research has detailed the strategy that migrants have to go through in order to benefit from this paid work. Our second critique is on the way that different aspects of immigration system, such as immigration control, the asylum process and modern slavery prevention such

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[74] See also Refugee Action 2020, Ibid 63
[75] Ibid 59; and Alice Bloch and Sonia McKay, "Employment, Social Networks and Undocumented Migrants: The Employer Perspective" (2015) 49 (1) *Sociology* 8–55.
[76] Author 1 (2020)

as 'raid and rescue' policies encourages migrants to develop survival strategies of working without documents and participating in co-ethnic support networks. As an outcome, new practices of subordinate incorporation are developed which facilitates migrant agency and provides partial support for the basic social and economic needs of migrants.

A further argument emerging from our data is that the precaritisation of our participants seems to be generated largely by immigration control law enforcement rather than employers or traffickers, and the policies seem to be offering little protection or pathways to integration. As illustrated above, Vietnamese participants were mainly concerned with how to avoid detection, detention or deportation emphasising the lived realities of the 'deportation regimes' described by de Genova[77]. Interestingly, discussions did not feature trying to escape or change the conditions of their work suggesting   exploitation was not their main concern. Vietnamese undocumented migrants and asylum seekers' reliance on social networks and the right to work suggests they seek support where there is no support system, or protection under UK law. Indeed, their strategies of agency can be seen as an example of trying to survive multiple reinforcing systems of precaritisation. Their integration practices render their participation limited to the ethnic niche, and without working opportunities (and the legal right to work for asylum seekers) there are few routes to participate in British society. In this sense, our data may follow the lines of Van Schendel and Abraham[78] who reframe notions of legality in terms of social 'legitimacy'. Salvadorian participants in their study termed their stay in Spain as "illegal yet licit" meaning it was considered illegitimate by the state but legitimate by themselves and a significant segment of civil society.[79] The contributions made by undocumented Vietnamese migrants to UK the service sector, may be placed in line with the unacknowledged contributions of other migrant groups who benefit British consumers.[80] This calls to mind Williams'[81] argument that Modern Slavery more accurately describes the treatment of undocumented migrants by governments than their conditions of work. It is this dynamic that we see being born out in our examples above. The strategies used by Vietnamese migrants illustrate the quest for dignity and resilience and provides evidence for why we need to place greater value on the innovative contributions and

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[77] Ibid, 29

[78] Willem van Schendel and Itty Abraham (eds) Illicit Flows and Criminal Things: States, Borders, and the Other Side of Globalization (Indiana University Press 2005).

[79] Ibid, 80

[80] Ben Rogaly, Stories from a migrant city: living and working together in the shadow of Brexit. (Manchester University Press 2020)

[81] Ibid, 6

forms of human capital undocumented migrants bring to society. Such unrecognised contributions need to be acknowledged and repositioned within the debate about integration, to enrich British society and migrants in a more resource effective way.[82] Their economic and social sufficiency also shows how little they burden the host society and mainstream services such as health care and social welfare.

Conclusion

This article has sought to challenge and disrupt the broader discourse and assumptions underpinning the modern slavery agenda and explore its specific outcomes for Vietnamese migrants and their integration futures. Through exploring interview data with migrants at different stages of their migratory journey, we have revealed a variety and range of experiences which problematises the modern slavery characterisation of all Vietnamese migrants. We argue that processes of integration for many undocumented Vietnamese migrants are stymied by the policy surrounding the modern slavery agenda, and that these also in turn impact asylum seekers trying to survive economically and repay their own migration debts. Regardless of what happens on the migrant journey and whether migrants are subject to trafficking, exploitation or are smuggled and work without rights in the UK, they all share the same concerns to repay the debts of their migration journey. We have also identified the role of broader sources of precaritisation, such as impoverished livelihoods in rural Vietnam, as well as revealing the capacity for agency among this vulnerable group, even though they are constrained within the boundaries of illegality. We argue that the victim label associated with those designated as 'modern slaves' unhelpfully tends to dehumanise and render subjects passive. This limits their opportunities to develop their own pathways to integration and to be recognised as being subjects of 'moral worthiness' of integrating, perceptions that might in turn filter through into the practice of policymakers and practitioners.

Our analysis also shows that the predominant discourse in British policy debates does not enable an understanding of a fuller picture of the UK Vietnamese migrant experience. We have revealed these as more complex, where migrants do exert some agency, and trafficking does not represent the experiences of all migrants, nor does it represent the only issues they

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[82] see Refugee Action 2020 (Ibid 63).

confront. Through exploring issues of integration, this article has highlighted how key principles in the Modern Slavery Act 2015 are too homogenising and can actually damage the communities it seeks to protect by misportraying their experience. Instead, in order to better understand and support victims of exploitation, we need to take into account of their conditions of origin, their cultural perspectives and their aspirations for the migratory process. Further research is needed to highlight this through exploring the experiences of women, especially those working in nail salons. A limitation of our study is that due to the small number of women in our sample, the differences between male and female experience cannot be easily be understood.