

Understanding Migrants' Legal Adaptation in Hybrid Political Regimes

As a part of my transnational ethnography among Uzbek migrant workers in Moscow, Russia, and in their home village in Uzbekistan, on August 6, 2014, I traveled to the Fergana Valley of Uzbekistan, to a village I call “Shabboda,” from whence the majority of Uzbek migrants I met in Moscow originated. Shabboda is one of the many remittance-dependent villages in rural Fergana, where labor migration has become a widespread livelihood strategy in the post-Soviet period, a norm for young and able-bodied men. During the “migration season” (March to November) the majority of village inhabitants consist of elderly people, women, and children. In the words of villagers, Shabboda is a “Moscow village,” since the majority of villagers work in Moscow given the existence of village-specific networks there. Several villagers work as intermediaries in Moscow’s construction sector, serving as gatekeepers for villagers seeking access to the labor market. Young men who prefer to stay in the village during the migration season are usually viewed as lazy and abnormal by villagers, whereas those who work in Russia and regularly send money home enjoy higher social status and greater respect.

My field trip to Uzbekistan coincided with the introduction of the entry ban (*zapret na vëzd*) legislation in Russia (2013–14), under which any foreign citizen who committed two administrative offenses within a three-year period received a three-year entry ban. By September of 2014, more than 1 million foreigners had already been banned from reentering Russia; the majority of those foreigners were citizens of Uzbekistan (Bobylov 2014). The effects of these legal interventions were already felt in Shabboda, since many migrants were stranded in the village and could not return to Russia after being issued an entry ban. I observed that daily conversations in the village’s “gossip hotspots” (e.g., the mosque, teahouse, at regular get-togethers, and weddings) revolved primarily around entry-banned migrants (*zapreti borlar*) and various informal strategies and tactics devised by



FIGURE 1. Everyday life in Shabboda village, rural Fergana, Uzbekistan. June 2016. Photo by author.

migrants to reenter Russia. I was truly intrigued by these daily conversations and became interested in learning more about the informal strategies adopted by entry-banned migrants. I wondered whether it was indeed possible for entry-banned migrants to reenter Russia and, if so, how that process works, what informal strategies and tactics are employed to navigate around the entry-ban system, and the implications of these strategies and processes for understanding the functioning of the Russian migration regime.

Reflecting on these questions, I was particularly interested in the informal strategies of three entry-banned migrants in the village—Alish (male, 32), Mamir (male, 35), and Tillo (male, 37)—individuals who were well-connected to different formal and informal institutions in Russia. Between 2008 and 2014, Alish worked as a caretaker at a *dacha* (summer cottage) in Rublevka, a prestigious residential area in the western suburbs of Moscow where many high-level Russian state officials, oligarchs, and successful businessmen reside. The owner of the *dacha* (Alish's boss) was a high-level state official within the Russian Federal Security Service (FSB), the most powerful organization in the country. Owing to his six years of *halol* (honest) work at the *dacha*, Alish was able to establish a good relationship with his FSB boss and family members. When I asked Alish if his FSB connection could solve his entry-ban problem, he replied confidently that he had already

contacted his boss, who assured him that his entry ban would be lifted quite soon. Once lifted, he could return to Moscow and continue working at the *dacha*.

Mamir's case also intrigued me, given his connections to immigration officials. From 2009 until 2014 Mamir worked as a *registratsiyachi* (an informal intermediary in residence registration) at an air ticket office located near a metro station in the north of Moscow. In that position he primarily acted as a bridge between (a) migrant workers who needed a residence registration certificate and other immigration papers and (b) immigration officials who always sought opportunities to generate informal benefits from their "oily position." This was where Mamir became acquainted with immigration officials who could, for an informal fee of US\$700, help him enter Russia despite the existence of an entry ban. When I asked Mamir how his entry ban problem would be resolved, he replied that, in some cases, immigration officials might suspend someone's entry-ban case for a few months by referring to ongoing legal proceedings or by appealing the ban in court. In such circumstances the entry ban is suspended in the databases of both the immigration service and the border control service, allowing the entry-banned migrant to enter Russia. Mamir believed that this strategy would work and enable him to reenter Russia in the near future.

Unlike Alish and Mamir, Tillo was not well-connected with Russian state officials but had strong connections with "street institutions," such as racketeers, intermediaries, and smugglers. Between 2005 and 2014 Tillo worked at a wholesale bazaar in Moscow, selling Uzbek fruits and vegetables. Owing to his daily interactions with people from diverse backgrounds and social statuses Tillo also had friends from the "street world" who could put him in touch with reliable human smugglers operating at the Russia-Kazakhstan border. These smugglers would help him enter Russia through roundabout means. Given his contacts, Tillo appeared quite well-informed about how things work at the border, relaying that Russian border guards and human smugglers act as accomplices and jointly organize migrants' illegal border crossings. Tillo even knew about the existence of the so-called plan system, where Russian border guards ignored and facilitated illegal border-crossing operations during the first two weeks of each month (from the first until the 15th), while those migrants who cross the border illegally during the second half of the month were usually caught and arrested to serve as indicators of the effectiveness of border control measures. In Tillo's words Russian border guards worked for the well-being of their "families and children" during the first two weeks of each month, and after the 15th of the month they worked for the government, catching all migrants illegally entering Russia. Owing to his influential "street contacts," Tillo was confident that he would be able to return to Russia within a few months.

After a nine-month break I returned to Moscow for a follow-up fieldwork visit from July 19 through August 15, 2015. On arriving in Moscow, I first determined whether the three entry-banned migrants I had met in Fergana were actually able

to return to Moscow. Much to my surprise, all three of them—Alish, Mamir, and Tillo—were already back in Moscow and working at the same jobs they had held before being banned from entry. Eager to learn more about their adventures, I invited them for dinner at an Uzbek café in Moscow’s Medvedkovo district. During my conversation with them I learned that the strategies they mentioned to me a year previously did actually work and helped secure their reentry into Russia. Following their reentry into Russia via semilegal or illegal channels, all three of them “legalized” their work and residence status through the *Kazansky vokzal*, a very popular “migrant legalization” site situated in Moscow’s Kazansky railway station. At this site it is possible to obtain virtually all types of illegal and semilegal documents, including fake (*fal’shivka*), “clean fake” (*chistaya fal’shivka*), and “almost clean” (*pochti chistiy*) residence registrations and work permits, as well as fake Russian and Kyrgyz, Tajik, and Uzbek passports. Since all three of these migrants lacked authentic immigration documents, I wondered how they organized their daily life and avoided surveillance from police officers and immigration officials scattered across Moscow. When I asked them whether they ran the risk of being deported if they were caught by the authorities, they laughed sarcastically and said, “Russia is a land of opportunities if you know the street rules and have the right amount of money when stopped by police officers.” Yet, seeing my puzzled face, they quickly noticed my poor understanding of the “street life” and shared an anecdote about “Putin and the golden fish.” This anecdote slyly hinted at the near impossibility of immigration control in the Russian legal context, a context predicated on ubiquitous corruption and a weak rule of law:

There is an anecdote widely circulated among Uzbek migrants in Russia. Once upon a time, Putin, the President of Russia, went fishing. Putin cast his net and luckily pulled out a golden fish. Not wanting to die, the golden fish pled for its life, promising three wishes in return. But Putin laughed and said that he wanted neither wealth nor power and said that he had just one wish. He promised to let the fish go if it fulfilled his wish. The golden fish became happy and asked for his wish. Putin said, “I neither need wealth nor power. I want you to send all Uzbek migrants to their homeland. All organizations responsible for immigration control—that is, immigration service, the police, and the border guards—are corrupt and want to keep migrants in Russia because migrants are the source of wealth for them. If you help me get rid of Uzbek migrants, I will free you and you can enjoy your life.” The golden fish’s heart sank when it heard Putin’s wish, and it fell into deep thought. “I am very sorry, but I cannot fulfill this wish, brother Putin,” said the golden fish. Putin became angry and asked why the fish could not fulfill it. The golden fish replied, “It’s because I am a migrant too. Originally, I am from Syrdaryo, the second largest river in Uzbekistan.”

To my mind, my field observations refined many of my initial assumptions about how migrants establish a relationship with the law in Russia. The above empirical examples suggest that migrants’ legal adaptation to weak rule-of-law migration contexts such as Russia’s should not be merely understood in terms of migrants’

knowledge of immigration laws, their legal status, and legalization strategies. Instead, that adaptation should also be examined in terms of their knowledge of the informal rules, street laws, and their capacity to negotiate with informal channels. Despite the existence of draconian immigration laws and border control infrastructure, combined with ever-increasing antimigrant sentiments within Russian society, I found that migrant workers continued to live and work under the conditions of a shadow economy. Even the behavior of state officials overseeing immigration laws and policies (e.g., immigration officials, border guards, and the police) was driven more by informal norms and practices than by state law. Consequently, rather than complying with immigration laws that are rarely followed by Russian state officials, migrants have actually produced new forms of informal governance and a legal order that provides alternative means of legal adaptation. These alternatives allow migrants to regulate their working lives and navigate around structural constraints, such as complicated residence registration and work permit rules, racism, and the lack of a social safety net. Furthermore, this navigation implies that informal and illegal practices in weak rule-of-law migration contexts may actually enable migrants to escape the constraints imposed by the immigration laws and policies (Garcés-Mascareñas 2010; Reeves 2013; Dave 2014a; Urinboev and Polese 2016; Schenk 2018).

The above field observations thus lead us to the main goal of this book, which is intended to contribute new theoretical and empirical insights into scholarly debates on migrants' legal adaptation and integration. In doing so, this study is conceived as a critical reflection on the dominant migrant legal adaptation and integration literature (and, more generally, migration studies scholarship), which is still based largely on case studies of immigrant communities in Western-style democracies, such as Australia, Canada, France, Germany, the United Kingdom, and the United States (Castles and Miller 2013). While the dominant frameworks provide useful insight toward understanding migrants' experiences in a new legal environment, they have limited utility when applied in the context of non-Western, nondemocratic migrant-receiving contexts. Consequently, in spite of the large diversity of scholarly explanations for, and approaches to, explaining the diverse patterns of migrant legal adaptation and incorporation, we know relatively little about how migrants adapt to a new legal environment in the ever-growing hybrid political regimes that are neither clearly democratic nor conventionally authoritarian (Diamond 2002; Levitsky and Way 2002; Goode 2010a). As Reeves (2013) maintains, this lacuna can be explained in part by the ongoing legacies of the "three-worlds division" of social-scientific labor (Pletsch 1981; Chari and Verdery 2009) that tend to focus on Global South–North migrations, whereas migration processes in hybrid regimes such as Russia ("non-Western migration regimes," broadly conceived) remain underrepresented in comparative and theoretical debates about contemporary migration regimes. At the same time, hybrid political regimes have been traditionally viewed as exporters of migrant workers

to Western Europe, North America, and Australia (Castles and Miller 2013); their role as a recipient of migrant workers from other countries has been obscured. Addressing this research gap is especially important when considering the fact that hybrid regimes such as Russia, Kazakhstan, Malaysia, Singapore, and Turkey, as well as other nondemocratic contexts such as the Gulf States, have become key “migration hotspots” worldwide because of their improved economic conditions, receiving an increasing number of migrants with either low qualifications, no legal right to work or stay, or simply lacking the skills to quickly integrate into local job markets (Garcés-Mascareñas 2010; Anderson and Hancilová 2011; Tolay 2012; Heusala and Aitamurto 2016). The need for empirically grounded knowledge of these relatively understudied migratory flows, as well as the necessity to understand their implications for (Western-centric) migration theories, is thus, from this perspective, substantial.

Migrant legal adaptation is not uniform everywhere but rather holds different meanings, forms, and functional roles depending on sociopolitical context, legal environment, economic system, and various cultural factors. The comparative political-regimes literature demonstrates the rapid proliferation of hybrid political regimes worldwide, stretching from postcommunist Eurasia to sub-Saharan Africa (Diamond 2002). Unlike classic authoritarian regimes, such as North Korea or Turkmenistan, which brutally suppress any form of opposition, hybrid regimes display some elements of political competition and regularly hold presidential and parliamentary elections. But unlike Western-style liberal democracies in which culture of the rule of law is strong and presumed to be the standard of governance, political competition under hybrid regimes remains heavily shaped by an authoritarian culture, the rule of law remains quite weak, formal institutions are dysfunctional, informal governance and corruption are prevalent, and independent civil society institutions are heavily controlled or banned altogether (Robertson 2007; Wigell 2008; Gilbert and Mohseni 2011).

Given the differences in state-society relations, governance, and legal cultures, we cannot assume that immigrant integration and adaptation frameworks constructed in Western contexts apply within the context of hybrid political regimes, where migrants do not experience the “rule-of-law” and functional institutions but must navigate around the corrupt legal system and produce new forms of informal governance and legal orders. A closer empirical investigation of these processes may lead to new theoretical insights on migrants’ legal adaptations to non-Western migration locales and, more broadly, on the functioning of the social fabric involving state actors, nonstate legal orders, and migrants in the law-and-order chain. Ultimately, this book argues that in hybrid-regime contexts migrants are not passive entities; instead, migrants do have agency, and they use that agency and the opportunities provided by a weak rule of law and a corrupt political system to navigate the legal landscape using informal channels to access employment and other opportunities that are limited (to those with legal status) or hard to obtain in the current legal framework of the host country. Based on these propositions,

I explore the following questions in this book: How do migrants build relationships with the law and law-like informal orders in hybrid political regimes? What factors incite them to disengage from the formal legal system and, thereby, produce new forms of informal governance and legal order to organize their daily lives? How does migrants' legal culture (e.g., premigratory social norms, religious values, daily transnational practices, attitudes toward the law, and interpretations of legality and illegality) shape their legal adaptation patterns and strategies in a new environment? How, why, and when do migrants resort to informal channels and adaptation strategies? What theoretical implications do such "outside the nation-state law" processes have for the dominant [Western-centric] immigrant integration and adaptation frameworks in general and, more specifically, for the sociolegal perspectives on migrants' legal adaptation and incorporation?

I investigate these questions through a multisited transnational ethnography of Uzbek migrant workers in Moscow, Russia, and in their home village in Uzbekistan's Fergana Valley. I focus on Russia because it represents the archetypal hybrid political regime (Diamond 2002; Levitsky and Way 2002) and because it is one of the five largest recipients of migrants worldwide. Yet Russia remains relatively underrepresented in comparative and theoretical debates about contemporary migration regimes. Hence, analyzing migrant legal adaptation in a context of this type is of huge importance, given our need to bridge the knowledge gap on the topic, whereby current studies are limited to the analysis of immigration communities in Western-style democracies. The novel sociolegal lens put forth in this book—that is, that we must examine not only the limitations of the legal system but the unintended consequences of it that empower the agency of migrants to navigate the system—enables us to go beyond the Western-centric scholarship on contemporary migration regimes. With these considerations in mind, I provide in the next section of this chapter a review of dominant (Western-centric) frameworks and approaches to understanding migrants in a new legal environment. I focus on (1) assimilation, acculturation, and integration; (2) transnationalism; (3) premigratory cultural legacies as a factor in understanding migrants in their new environment; and (4) sociolegal perspectives on studying migrants in the host country. Emphasizing the relevance and usefulness of these frameworks for explaining migrants' integration into and adaptation to a new legal environment, I argue that their analytical applicability is limited in terms of fully understanding migrants' legal adaptation to nondemocratic, weak rule-of-law contexts.

UNDERSTANDING MIGRANTS IN A NEW LEGAL ENVIRONMENT: DOMINANT FRAMEWORKS AND APPROACHES

As outlined in the previous section, much of the scholarly literature on migrant adaptation and integration (both historical and current literature) relies on case studies of immigrant communities living in Western-style democracies. This is

especially true for the United States, which represents the main source of research on the theme of immigrant incorporation and adaptation (Gordon 1964; Park 1964; Portes and Zhou 1993; Portes and Rumbaut 2006; Alba and Nee 2009). Extensive literature also focuses on immigrant adaptation in Australia, Canada, continental Europe (e.g., France, Germany, Italy, and Spain), and the United Kingdom (Sayegh and Lasry 1993; Brubaker 2003; Colic-Peisker and Walker 2003; Robinson 2005; Alencar and Deuze 2017). These trends can be explained by the fact that Australia, Canada, and the United States have long stood as the “established countries of immigration,” while many countries of Western Europe received large numbers of immigrants because of their colonial legacy and guest worker programs in the post–World War II period (Castles and Miller 2013). Given these circumstances, it is not surprising that the dominant frameworks of immigrant adaptation—namely, assimilation, acculturation, and integration—were originally constructed with reference to the experiences of immigrant communities in Western-style democracies.

The assimilation theory, based on the American experience of immigration, represents one of the most dominant perspectives in the literature on immigrant adaptation (Park 1928; Stonequist 1937; Gordon 1964; Portes and Böröcz 1989; Portes and Zhou 1993; Zhou 1997; Alba and Nee 2009). The early models of assimilation theory, developed by Park (1928) and Stonequist (1937), were based on the assumption that immigrants, constrained by various biotic and social pressures, gradually abandon their premigratory cultural legacies and ways of life, eventually “melting” into the host society through processes of residential integration and occupational achievement. In the 1960s, however, classical assimilation approaches were challenged by Gordon (1964), who argued that cultural assimilation (adaptation to a new country through cultural adjustment) is a precondition for successful immigrant adaptation but does not automatically lead to other forms of assimilation (e.g., economical, structural, marital, and civic). In Gordon’s view immigrant groups’ full assimilation depends largely on the degree to which they gain acceptance from the dominant population. Gordon’s insights were further refined by new theoretical perspectives developed in the 1990s and 2000s, which focused on non-European and second-generation immigrant groups (Portes and Zhou 1993; Zhou 1997; Alba and Nee 2009). Unlike the earlier assimilation models, which predicted the eventual convergence of immigrant groups into the dominant population, new frameworks such as the “segmented assimilation” (Portes and Zhou 1993; Zhou 1997) and “new assimilation theory” (Alba and Nee 2009) illustrate the diverse patterns and outcomes of adaptation among immigrant groups. These new frameworks pose an important theoretical question regarding what makes some groups prone to downward mobility and what enables them to escape stagnant positions. In addition, these new frameworks have been particularly useful in determining various (alternative) paths and outcomes of immigrant incorporation, shaped by immigrants’ economic, human, and social capital, as well as by structural factors such as poor urban schools, racialization, job market inequalities, and immigration laws.

Another mainstream framework to understanding migrants' adaptation to a new environment lies in acculturation (Redfield, Linton, and Herskovits 1936; Ward and Kennedy 1994; Berry 1997, 2005; Bhattacharya 2008; Sam and Berry 2010). The classic definition of acculturation presented by Redfield, Linton, and Herskovits (1936, 149–52) is based on the understanding that acculturation represents one phase within the broader processes of culture change: “acculturation comprehends those phenomena which result when groups of individuals having different cultures come into continuous first-hand contact, with subsequent changes in the original culture patterns of either or both groups. . . . Under this definition, acculturation is to be distinguished from culture change, of which it is but one aspect.” Although this definition depicts *acculturation* as a rather neutral term, highlighting that a change may occur in either or both groups, in reality acculturation leads to further change in nondominant or immigrant groups rather than in the dominant group (Berry 2005). Various terms describe those changes resulting from firsthand contact with groups of individuals from different cultural backgrounds, such as “adjustments and behavioral shifts” (Berry 1997), “culture learning” (Brislin, Landis, and Brandt 1983), and “social skills acquisition” (Furnham and Bochner 1986). We must note, however, that acculturation does not necessarily lead to assimilation. Rather, acculturation should be distinguished from assimilation—that is, one of the initial phases of change in cultural patterns toward those of the host society (Gordon 1964; Berry 2005). A similar argument was also made by Portes and Bach (1985, 23–24), who maintain that “greater knowledge of the core language and culture by new immigrants and greater familiarity with members of the dominant group do not necessarily lead to more positive attitudes and more rapid assimilation.”

The third dominant framework for understanding migrants in a new legal environment relates to integration (Hansen 2000; Joppke and Morawska 2003; Lucassen, Feldman, and Oltmer 2006; Tubergen 2006; Schneider and Crul 2010). While immigrant adaptation discourse in the USA is dominated by assimilation and acculturation paradigms, European immigration debates are largely shaped by the integration framework (Schneider and Crul 2010). As Joppke and Morawska (2003, 3) assert, the very notion of integration originally rested on the premise of an already integrated, bounded, consensus-based society composed of domestic individuals and groups (as the antipode to “immigrants”), which faced the risk of disintegrating and unbinding owing to immigration. This means that the notion of immigrant integration is a political construction without academic roots. It is not surprising, therefore, that the emergence of various ethnic enclaves and mosque communities in Western Europe is perceived as an indication of “parallel legal orders” rather than an alternative pathway to integration. While the American understanding of “successful assimilation” does not preclude variety and diversity (especially in the area of economic activities), European integration carries the implicit ideal of cultural homogeneity, where “ethnic enclaves” or

economic success within the ethnic community are not positively valued as a possible pathway to “integration” (Schneider and Crul 2010). Therefore, integration, as opposed to assimilation, implies the introduction of active welfare measures targeting immigrant groups to provide extensive opportunities for their successful adaptation (Joppke and Morawska 2003). High levels of immigrant representation in education and the labor market serve as an indicator of successful integration. Thus, in the European context immigrant integration is understood with regard to structural aspects of adaptation into society, particularly in relation to one’s legal status, educational achievements, and access to the labor market (Schneider and Crul 2010).

While the aforementioned three dominant frameworks provide useful insight toward understanding migrants’ experiences in a new environment, they remain insufficient to fully understand the complexity of immigrant adaptation in the contemporary globalized world. As previously outlined, these frameworks were constructed with reference to the experiences of immigrant groups in Western-style democracies, implying that they may not necessarily translate well into nondemocratic migration contexts because of differences in sociopolitical contexts and legal environments. Additionally, these frameworks, as Kubal (2013a, 20–21) argues, suffer from at least three important shortcomings. First, they do not account for the diversity of migrants’ premigration experiences (e.g., demographic factors, economic performance, motivation and cultural distance, and personal factors), possibly facilitating or hindering immigrant adaptation. Second, these frameworks tend to portray the host society as a unitary, homogenous entity, thereby ignoring historical conditions, cultural pluralism, and diverse attitudes that may affect the responses and experiences of migrants. Third, they do not consider the role and implications of transnational ties beyond the first generation. Another factor adding to this complexity lies in the ever-growing use of new media, such as smartphones and social media tools among migrants, likely shaping their everyday lives and their left-behind families and communities in many parts of the world. Undoubtedly, continuity exists between “older” and new media, but the question remains as to whether and how these new technologies shape the nature and forms of immigrant adaptation.

Reflecting on these complexities and global tendencies, several new frameworks were developed to better understand immigrant adaptation in the digital era. In this regard classical frameworks (assimilation, acculturation, and integration) confined to the study of immigrant adaptation to the territory of a single nation-state have been challenged by the growing literature on migrant transnationalism (e.g., Schiller, Basch, and Blanc-Szanton 1992; Portes, Guarnizo, and Landolt 1999; Vertovec 1999; Levitt 2001a). While acknowledging the usefulness of classical frameworks, migrant transnationalism scholarship argues that migrants’ daily lives and experiences differ from earlier forms because of rapid developments in information and communication technologies (ICTs) enabling migrants to be “simultaneously

incorporated" into both their host country and their society of origin (Foner 1997a; Morawska 1999; Portes, Guarnizo, and Landolt 1999; Vertovec 2001). Hence, the concept of migrant transnationalism rests on the idea that migrants, living their lives in two (or more) nation-states, remain a part of the fabric of everyday life and social relations in their home country; simultaneously, they become a part of the socioeconomic processes in their receiving country, thereby rendering home and host society a single arena for social action (Schiller, Basch, and Blanc-Szanton 1995; Portes, Guarnizo, and Landolt 1999; Levitt and Schiller 2004; Dahinden 2005). These transnational linkages are multistranded (e.g., economic, social, cultural, political, institutional, and emotional) and entwined in the lived experiences of migrants and their left-behind families and communities (Levitt 2001b; Espiritu 2003; Kelly and Lusia 2006).

An extensive literature also focuses on migrants' premigratory experiences and cultural codes as a lens to understanding various pathways to immigrant adaptation in the host society (Hondagneu-Sotelo 1994; Kibria 1995; Foner 1997b; Lim and Wieling 2004; Niekerk 2004; Read 2004; Bhattacharya 2008). The bulk of these studies have shown that migrants' premigratory cultural codes and the social practices they brought with them continued to shape their behavior in the host society, serving as some sort of "tool kit" or repertoire (Hannerz 1996). Using this tool kit, migrants made sense of their new experiences and constructed different "strategies of action" (Swidler 1986). Simultaneously, these studies have demonstrated that migrants' premigratory cultural norms, beliefs, and behavioral patterns may undergo a change or become "reinvented" in their new environment as a result of new circumstances. Premigratory cultural legacies shape migrants' actions, choices, and behaviors across all aspects of life, be it family life, gender relations, relationships with the legal institutions, social mobility, educational performance, labor market, or welfare behavior (Beger and Hein 2001; Niekerk 2004; Read 2004; Bhattacharya 2008; Hook and Bean 2009).

The cultural scholarship discussed above also gave rise to a sociolegal literature on "migration and legal culture/pluralism." This literature is based on the understanding that migrants carry their own "legal baggage" (values, attitudes toward the law, entrenched behavioral patterns, accustomed social practices, and informal norms) to their host country and continue to draw on them when constructing different adaptation strategies in new legal environments (Menski 1993, 2008; Shah 2005, 2009; Ballard 2006; Kubal 2013a, 2013b). Studies have described the implications of culturally mediated understandings of the law on immigrants' behavior when they come into contact with the legal system of the host society (Bauer 1999; Ta 1999; Beger and Hein 2001; Kubal 2013a). For instance, Bauer's (1999) study demonstrated how a Ukrainian immigrant's prior legal experiences and phobias toward the legal system led him to refuse a court-appointed lawyer, fearing that a court-appointed attorney was part of the KGB. Another body of scholarly work examined how migrants preserved and reinvented their premigratory

social practices and norms, developing various adaptive responses to their new legal environment (Ballard 2007; Menski 2008; Shah 2009). In his study of South Asian immigrant communities in Britain, Menski (2008) showed how South Asians simultaneously followed English law and their premigratory traditional laws, leading to the emergence of new forms of hybrid legal rules in the UK. All in all, these sociolegal insights on migrant legal adaptation provided nuanced accounts of how immigrant groups interpret and relate themselves to state law and reproduce their own “legal order” and community life in a new environment. Ultimately, this leads to the formation of a pluralistic legal environment in the host country.

As this section shows, dominant immigrant adaptation frameworks were constructed with regard to the experiences of immigrant communities in Western-style democracies. Moreover, the frameworks presented above tend to describe migrants as passive, agencyless actors who are gradually expected to abandon their premigratory cultural legacies and ways of life, eventually “melting” into the host society. One exception lies in “migration and legal culture/pluralism” scholarship, which has demonstrated that migrants *do* carry their own legal culture to their host society and rely on it when devising different adaptation strategies. But, again, legal culture scholarship primarily concerns the experiences of immigrant communities in the context of Western countries, whereas little scholarly investigation of similar issues in relation to non-Western, nondemocratic migration contexts exists. Given the sociopolitical and cultural differences between Western-style democracies and nondemocratic contexts, it is rather naive to assume that one analytical lens remains sufficient to understand migrant legal adaptation in corrupt or weak rule-of-law environments. These arguments, in turn, necessitate a review of the state-of-the-art on migrant legal adaptation such that parallels and differences among various immigration legal regimes can be identified. With this in mind the next section provides a review of migrant legal adaptation scholarship.

MIGRANT LEGAL ADAPTATION DEBATES

Two central (and interlinked) themes emerge in the literature on migrant legal adaptation. First, an extensive amount of literature focuses on the legal environment (immigration laws and institutions within the legal system) as a key factor determining the quality and character of immigrant adaptation (e.g., Coutin 2003a; De Genova 2004; Bloch and Schuster 2005; Menjívar 2006; Menjívar and Abrego 2012; Sigona 2012; Kubal 2013a; Hallett 2014). Building on the segmented assimilation model (Portes and Zhou 1993), studies have shown that immigration laws critically shape daily life and adaptation among immigrants by creating legal categories and statuses that delimit their chances in the labor market (Gleeson 2010), wages (Takei, Saenz, and Li 2009), health-seeking behavior (Viladrich 2012), educational opportunities (Gonzales 2011), and access to social services (Fujiwara

2008) and housing (McConnell 2013). Most of these studies illustrate that the state of being undocumented becomes embedded in the lives of immigrants and gradually permeates their lifeworlds, rendering them physically present and socially active yet legally nonexistent. Drawing on her empirical study of Salvadoran and Guatemalan immigrants in the United States, Coutin (2003b) shows that such legally nonexistent migrants are vulnerable to deportation, confined to low-wage jobs, and denied basic rights including access to decent housing, education, food, and health care. Another relevant study comes from Menjivar and Abrego (2012), who showed that Central American immigrants lacking legal recognition also experienced “legal violence,” a legally sanctioned structural and symbolic violence embedded in legal practices, actively enforced through formal mechanisms, and, therefore, viewed as “normal” and legitimate because it “is the law.” A similar “law-first” approach can also be found in the European context, where researchers affiliated with the Migrant Integration Policy Index (MIPEX)¹ project define migrant integration by referring to the factors associated with the legal immigration regime, which includes migrants’ legal status, residence rights, citizenship, and access to rights, goods, services, and resources (Huddleston 2008).

A wide array of research also explores how immigration laws produce various forms and categories of “migrant illegality” (Calavita 1998; De Genova 2002; Jordan and Düvell 2002; Menjivar 2006; Willen 2007b; Goldring, Berinstein, and Bernhard 2009; Kubal 2013c; Ngai 2014). Much of this research argues that migrant illegality is legally constructed since immigration laws restrict the entry and movement of some noncitizens, while allowing the admission of others, thereby producing documented, undocumented, and “in-between” statuses. Based on a review of the migration illegality literature, Kubal (2013c, 556–57) presents a diversity of terms and categories used to conceptualize legal statuses and categories: in-betweens (Schuck 1998), mixed-status households (Chavez 1998), liminal migrants (Menjivar 2006), learning to be illegal (Gonzales 2011), deportees with unrecognized claims (De Genova and Peutz 2010), semicompliant (Ruhs and Anderson 2010), legally illegal (Rigo 2010), civically stratified (Morris 2003), precarious (Goldring, Berinstein, and Bernhard 2009), quasi-legal (Düvell 2008), a-legal (Lindahl 2010), or semilegal (Kubal 2009). Since these legal categories grant or limit immigrants’ access to resources, rights, and benefits in the host society, immigration laws create a new form of stratification and significantly shape immigrants’ daily lives and adaptation paths. De Genova (2002) argues that immigration laws should be viewed as a deliberate strategy that nation-states deploy to produce cheap and legally unprotected undocumented migrants so that they can be included in the labor market under a condition of “enforced and protracted vulnerability.” In her study of immigration laws in Spain, Calavita (1998) also found that immigration laws were written and enforced in a way that made it nearly impossible for immigrants to retain legal status over time. This implied that Spanish immigration laws aim primarily to control the lives of immigrants rather than control immigration. Thus, migrant illegality

represents not simply a form of legal status or sociopolitical condition but also “a mode of being-in-the-world” (Willen 2007a).

The above analysis of migrant legal adaptation debates generates two important conclusions. First, although “the cake is sliced in different ways,” one idea emerges as consistent across studies: they emphasize the enduring power of the legal environment (that is, the immigration laws and institutions of the legal system) as a key factor shaping the nature and forms of immigrant adaptation. Yet overemphasizing the host country’s legal framework may result in underestimating the role of the migrants’ agency, including their capacity to navigate any legal restrictions. Second, and connected to the first point, while the aforementioned studies uncovered how and why migrant illegality is produced, not much has been said about the agency of undocumented migrants and how they organize their daily lives and develop alternative adaptation paths. Rather than focusing on migrants’ agency, as Ruhs and Anderson (2010) observe, many studies tend to portray undocumented migrants either as “victims” of exploitation or as “villains” who break laws. Even those studies that argue for the necessity of considering migrants’ agency emphasize the importance of institutional and legal factors. Indeed, notable exceptions demonstrate that migrants are not merely passive actors constrained by structural factors but are also capable of negotiating and challenging the legal system (Delgado 1993; Hagan 1994; Coutin 2003c; Zolniski 2006; Chimienti and Achermann 2007; Ellermann 2010; Sigona 2012; Kubal 2013a). Focusing on immigrant legalization strategies in the United States, Coutin (2003a) showed that migrants have agency and can respond to authorities’ political maneuverings. Another example can be found in Hagan’s (1994) book *Deciding to Be Legal*, in which she illustrates how Mayan immigrants creatively interpret and respond to the loosely specified documentation requirements of the US Immigration Reform and Control Act of 1986. Yet, despite their focus on migrant agency, these accounts also seem to reinforce the law-first perspective and stress the role of the legal environment by focusing on migrants’ efforts aimed at following or challenging immigration law in their struggle to change their legal status. Consequently, migrant legal adaptation is primarily understood in reference to the legal status of migrants, underscoring the role of the nation-state and its immigration laws as key analytical features to understanding various paths, as well as the quality and timescale of immigrant adaptation.

The persistence of law-first perspectives is understandable, given that they reflect the sociolegal context of Western-style democracies, where the rule of law is embedded in the national culture. But insights developed in Western contexts may not adequately explain how migrants build relationships with the law in hybrid political regimes characterized by corruption and a weak rule of law. While recognizing the importance of law-first perspectives, I respond to Twining’s call, proposed in his seminal paper “Globalization and Comparative Law” (1999), to move beyond the Western-centric paradigm. In doing so, I put forth new

theoretical insights for understanding migrant legal adaptation in non-Western migration regimes. Building on this previous research, particularly Sigona's (2012) suggestion that we develop a historically and geographically differentiated analysis of migration regimes, I aim in this book to extend the state of the art by investigating (1) how the effects and manifestations of "undocumentedness" (or illegality) depend on geographical, political, and historical factors and (2) whether undocumented migrants are not just passive actors constrained by structural barriers but can also invent strategies and maneuver around the system. Hence, we need a more context-sensitive understanding of "migrant undocumentedness" that takes into account how lacking a legal status intersects with, on the one hand, the broader sociolegal environment, economic system, and type of political regime and, on the other hand, migrants' agency, informal strategies, experiences, and premigration cultural codes. Thus, migrant "undocumentedness" or "illegality" does not automatically deprive migrants of their agency, but it may actually entice them to resort to alternative avenues, thereby allowing them to avoid constraints imposed by draconian immigration laws and policies (see, e.g., Garcés-Mascareñas 2010; Donato and Armenta 2011; Urinboyev and Polese 2016). Drawing from the transnational sociolegal ethnography of Uzbek migrants in Russia and their home village in Uzbekistan, this book moves away from treating migrants as passive actors and identifies migrants' agency in how they negotiate and cope with structural barriers and labor market uncertainties through their interactions with informal "legal orders" and street-based adaptation channels. Hence, an examination of how migrants organize their daily lives and build relationships with the law and informal "legal orders" in a corrupt and weak rule-of-law context (i.e., hybrid political regimes) can lead to nuanced theorizing about migrant legal adaptation. Before presenting the framework for understanding migrant legal adaptation in hybrid political regimes, in the sections that follow I present a brief review of the literature on hybrid political regimes. This review provides contextual information for understanding my perspective on migrant agency and legal adaptation in hybrid regime contexts.

UNDERSTANDING HYBRID POLITICAL REGIMES

Following the collapse of the Soviet Union, and the subsequent rise of democracy as a legitimate form of governance in the global political discourse, the number of political regimes that are neither fully democratic nor conventionally authoritarian has steadily increased. Understandably, these developments led to extensive discussions in academic circles regarding how to understand and conceptualize regimes that do not fit within conventional classifications (Diamond 2002; Levitsky and Way 2002; Howard and Roessler 2006; Munck 2006; Wigell 2008; Brownlee 2009; Morlino 2009; Gilbert and Mohseni 2011). Different terms

and names have been proposed to conceptualize these regimes: hybrid political regimes, competitive authoritarianism, electoral authoritarianism, partially liberalized regimes, semidemocracy, pseudo-democracy, illiberal democracy, semiauthoritarianism, soft authoritarianism, defective democracy, or Freedom House's "partly free" (Zakaria 1997; Carothers 2002; Diamond 2002; Levitsky and Way 2002; Schedler 2015). Regardless of the label we choose, one thing is clear: such "in-between" regimes have become a common and resilient phenomenon to the extent that nearly one-third of all states fall into the "political gray zone," straddling full-fledged democracy and outright dictatorship (Diamond 2002; Levitsky and Way 2002). The proportion of such "in-between" regimes, in Diamond's (2002) view, may further increase if a highly demanding standard of democracy is used, which covers not only democratic elections but also the solid protection of civil liberties under a strong rule of law.

As discussed above, the present era is characterized by a global proliferation of hybrid polities that necessitate new approaches and tools to understand development trajectories and institutional configurations in such "in-between" regimes. Archetypal hybrid political regimes, such as those in Malaysia, Russia, Turkey, Ukraine, and Zambia remain stable and resilient (Levitsky and Way 2002). As a result, classic taxonomies and concepts no longer capture the authoritarian regimes plugged into global economies that are becoming highly innovative in their legitimacy building and image making, thereby obscuring the role of democratic rules and procedures, institutions, and multicultural lifestyles. This is further exacerbated by the emergence of authoritarian leaders in liberal democracies, who use legal means, economic regulation, and anti-immigrant sentiments to discredit democratic governance and coerce populations into particular lifestyles. Reflecting on these complexities, Wigell (2008, 236–42) presented a list of electoral and constitutional criteria to distinguish liberal democracies from nondemocratic regimes. These criteria are (1) free elections, (2) fair elections, (3) competitive elections, (4) inclusive elections, (5) freedom of organization, (6) freedom of expression, (7) the right to alternative information, (8) freedom from discrimination, (9) electoral empowerment, (10) electoral integrity, (11) electoral sovereignty, (12) electoral irreversibility, (13) executive accountability, (14) legal accountability, (15) bureaucratic integrity, and (16) local government accountability. In truth the weakness or absence of these criteria serves to distinguish Western-style liberal democracies from hybrid political regimes. These points lead me to question the applicability and validity of existing migrant legal adaptation frameworks in the context of hybrid political regimes, characterized by a weak rule of law, dysfunctional institutions, corruption, large shadow economies, a poor human rights record, and a weak civil society.

CONCEPTUALIZING MIGRANT LEGAL ADAPTATION
IN A HYBRID POLITICAL REGIME CONTEXT

As outlined in the previous sections, the sociolegal context of hybrid political regimes is characterized by a weak rule of law, dysfunctional institutions, and widespread corruption and informality. Under these circumstances we can assume that migrants do not experience the rule-of-law system but rather invent various tactics and strategies to adapt to the existing “unrule-of-law” environment to “get things done.” This means that migrants may produce various informal “legal orders” that provide alternative (to state law) means to regulate their working lives and seek redress for their problems. In the legal anthropological scholarship such a normative pluralism is referred to as “legal pluralism” (Merry 1990; Griffiths 2003). Legal pluralism emphasizes the coexistence and clash of multiple sets of rules that mold people’s social behavior: the law of the nation-state, indigenous customs and rules, religious decrees, moral codes, and practical norms for social life (Nuijten and Anders 2007). Classic legal anthropology studies and the more recent legal pluralism scholarship documented the emergence of “semi-autonomous social fields” or “non-state forms of normative ordering,” with their own forms of regulation and informal norms, many of which contradict state law (Moore 1973; Tamanha 2000; Roberts 2005; Pirie 2006). From this point of view state law merely represents one among many other normative orders within society. Thus, no single, integrated set of rules in any society exists, whether codified in law, sanctified in religion, or established as the rules of daily social behavior. Quite simply, there is no uncontested universal normative code that guides people’s lives and actions; the very nature of the legal order is determined by the outcomes of the struggles and the interplay among plural normative orders.

Russia, as an archetypal hybrid regime with a weak rule of law, rampant corruption, and a large shadow economy (Ledeneva 2006; Cameron and Orenstein 2012; Petrov, Lipman, and Hale 2014), provides an excellent context in which to more closely examine migrant legal adaptation from a legal pluralism perspective. Accordingly, within the context of hybrid regimes such as Russia, where millions of migrants are concentrated in a shadow economy, the study of migrant legal adaptation should account for the interplay between (a) migrants’ agency and the “legal baggage” that migrants carry to their host country and (b) an informality and a weak rule-of-law environment, possibly creating an avenue for informal, innovative adaptation practices. Migrants’ “legal baggage” may contain different values, different attitudes, and different patterns of behavior toward state law and its institutions (Kurkchiyan 2011; Kubal 2013b). Thus, the host country’s legal environment may become even more legally plural with the arrival of new legal cultures. The combination of these two features—migrants’ agency and the specifics of a hybrid regime—may produce new forms of informal governance and legal order. Hence, the legal pluralism perspective allows us to move debates about

the legal incorporation of immigrants beyond national frameworks of state law to open up the concept of the law along those lines suggested in the legal pluralism scholarship.

While acknowledging the importance of existing migrant legal adaptation frameworks, I propose a framework that incorporates “informality and a weak rule of law” as key analytical factors to understand migrant legal adaptation in hybrid political regimes. The core argument is that the legal adaptations of migrant workers in hybrid political regimes such as Russia should be understood not only through migrants’ legalization efforts and involvement with state institutions but also in terms of their knowledge of street law and informal rules, connections to street institutions, and their capacity to integrate into the corrupt and weak rule-of-law environment. Thus, drawing on the legal pluralism perspective, this book proposes a new framework, suggesting that the law and legal adaptation should be defined more broadly, beyond state immigration laws, policies, and institutions, and encompass informal “legal orders.” These informal legal orders include (1) migrants’ agency and their “legal baggage” (i.e., informal [and nonlegal] practices, rules, strategies, networks, and structures used by migrants to follow, avoid, or maneuver around the laws); (2) informal, rent-seeking behaviors and practices among state officials (e.g., immigration officers, policemen, and border guards) in charge of enforcing immigration laws and policies; (3) street institutions (e.g., racketeers, intermediaries, and former law-enforcement officers) used to enforce contracts and legalization; and (4) transnational networks, interactions, and pressures that shape migrants’ experiences in the host society.

METHOD, APPROACH, AND FIELDWORK

This book is based on a multisited transnational ethnography of Uzbek migrant workers in Russia and in their home village in Uzbekistan. I collected the ethnographic material during 14 months of fieldwork in Moscow, Russia, and the Fergana Valley, Uzbekistan, between January of 2014 and August of 2018. These field sites were chosen because Moscow is the capital city and largest megapolis in Russia, featuring the highest number of migrant workers. Therefore, Moscow’s attitudes and policies regarding labor migration greatly influence developments in other regions of Russia, where local officials, politicians, and journalists reproduce Moscow’s policies in their home territory (Abashin 2016; Schenk 2018). Likewise, I chose the Fergana Valley because it is the primary migrant-sending region in Uzbekistan, given its population density and high unemployment rate (Laruelle 2007). In addition, I myself hail from a village in the Fergana Valley, a reality that enabled me to participate in the daily life of migrants and their home village, thereby becoming *svoi* (“one of us, those who belong to our circle”), a term widely used in the post-Soviet context to refer to a person who has internalized the norms and values of a particular social group. Thus, owing to my Uzbek ethnicity,

village origin, cultural competence, and language skills (Uzbek and Russian), I was well-connected to the Uzbek migrant worker community in Moscow and their left-behind families and communities in the Fergana Valley.

The ethnographic material was primarily collected through observations and informal interviews, supplemented with regular contact with informants over smartphone-based instant messaging applications such as Telegram Messenger, WhatsApp, and IMO. Because I collected ethnographic material in two different locations, I present it separately for each locale. This allows me to provide a detailed and clear description of my fieldwork, including the data-collection strategies and the selection of informants and fieldwork sites.

First, in Moscow I conducted observations and interviews at construction sites, bazaars, *dachas* (cottages), farms, dormitories, shared apartments, cafés, railway stations, and on the streets of Moscow, where Uzbek and other Central Asian migrants work, live, and socialize. My observations frequently turned into informal chats and interviews owing to the numerous questions that arose on the spur of the moment. I focused primarily on migrants' everyday lives, informal adaptation strategies, knowledge of the state and street laws, and their interactions with their employers, state institutions (e.g., police, immigration, and border officials), and street actors (e.g., racketeers and middlemen). In addition, I applied various strategies during my fieldwork. These strategies included renting mattress space in shared apartments where migrants lived, being present at migrants' workplaces at different times, participating in migrants' daily lives, accompanying migrants on the streets and via public transportation where they are often stopped and frisked by police officers, inviting migrants for lunch or dinner in cafés, and "hanging out" with migrants in bars. In addition, I maintained regular contact with informants via smartphone-based social media applications, where they share various news items, videos, and photos; update one another with Moscow and village news; and spread gossip and rumors when someone acts unfairly toward other villagers. Rigorous procedures and techniques for collecting data were applied: observation and informal interviews were documented in field diaries in addition to audio recordings.

Second, and simultaneously, to keep up with the pace of developments in Uzbek migrants' lives in Moscow, I conducted observations and informal interviews in the Fergana Valley of Uzbekistan, in the village of Shabboda, from whence most migrants I met in Moscow originated. My primary aim was to explore the processes of everyday material, emotional, social, and symbolic exchanges between Shabboda and Moscow and how these transnational interactions shaped the everyday lives and adaptation of Uzbek migrants in Moscow. Given my *svoi* status, I enjoyed direct access to all social spaces within the village, enabling me to gather firsthand information about Uzbek migrants' and their left-behind families' and communities' daily transnational interactions. The role of smartphones was crucial in transnational relationships. Many villagers I met possessed smartphones (Artel, Huawei, Samsung, Sony Xperia, and even the latest iPhone) running the Android



FIGURE 2. The author interviews an Uzbek migrant worker at a construction site in Moscow province. July 2015. Photo by Muhiddin Yursunaliyev.

operating system (or iOS), thanks to remittances sent from Moscow. During my fieldwork I regularly visited migrants' left-behind families and carried out observations and informal interviews at the village "gossip hotspots" such as the *guzar* (community socializing space), *choyxona* (teahouse), *gaps* (regular get-togethers), and life-cycle events (e.g., weddings and funerals) where many villagers, including women, children, and religious leaders, came together on a daily basis and conducted the bulk of the village's information exchanges. Because I met more than ten villagers on a daily basis during various social events, situations, and spaces, it is difficult to pinpoint the exact number of individuals with whom I chatted during these site visits. Instead, the narrative I provide in the subsequent chapters can be understood as a composite of the voices of the hundreds of villagers I encountered during daily visits to the *guzar*, *choyxona*, *gaps*, wedding feasts, circumcision ceremonies, and funerals.

In addition to transnational ethnography, between July and August of 2015 I also conducted one hundred semistructured (in-depth) interviews with Central Asian (Kyrgyz, Tajik, and Uzbek) migrant workers. I aimed to investigate to what extent the findings from this ethnographic study (observations and informal interviews) are common among Central Asian migrants in Russia, so as to add more depth and detailed information to the ethnographic material and allow for some degree of generalization. I conducted interviews face-to-face, through a conversational

process, which lasted from 35 minutes to an hour. The interview questionnaire consisted of 91 open-ended questions and covered 15 different themes: (1) background and demographic questions; (2) migrant labor market and working conditions; (3) immigration laws, actors, and legal protection; (4) work permit and residence registration; (5) reentry ban and deportations; (6) street institutions, such as racketeers; (7) middlemen; (8) relations between migrant workers and the police; (9) corruption and bribes; (10) relations between migrant workers and immigration officials; (11) migrant workers' legal culture and their knowledge and experiences of immigration and labor laws; (12) migrant workers' informal coping strategies; (13) discrimination and racism; (14) migrants' social networks; and (15) migrants' transnational ties and practices. In selecting migrants for in-depth interviews, I paid special attention to diversity across ethnicity, country of origin, citizenship, age, gender, social status, occupation, educational background, Russian-language skills, legal status, and migration experiences (experienced or newly arrived migrant). Regarding sampling, I used random, snowball, and purposive sampling techniques to increase the diversity of my informants. I conducted interviews at 15 different locations in Moscow city and the Moscow province, in diverse settings and situations such as Uzbek cafés and *choyxonas*, bazaars, shared apartments, construction sites, *dachas*, parking garages, auto service centers, dormitories, furniture workshops, and random street interviews in localities known for high migrant clustering.

Eleven expert interviews were conducted in Moscow in 2017 in collaboration with my colleagues Anna-Liisa Heusala and Kaarina Aitamurto from the University of Helsinki research project "Migration, Shadow Economy and Parallel Legal Orders" (the project of which I am also part), funded by the Kone foundation.² The interviewed experts included migration lawyers, human rights activists, journalists, representatives from migrant rights' nongovernmental organizations, and representatives of the Trade Union of Migrant Workers and the Federation of Migrants in Russia. During these interviews, questions focused on the history and evolution of Russian immigration laws and policies, migrants' working conditions and relationships with employers, migrants' legal culture and the relationship with the law, migration and the shadow economy, residence registration and work permit rules, the culture of informality, administrative developments, and the specifics of the Russian legal system.

The use of multiple data collection methods (observation, informal interviews, semistructured interviews, and expert interviews) generated a rich stock of empirical material about migrants' legal adaptation strategies. More specifically, I was able to collect original empirical data on (1) migrants' knowledge and experiences of immigration and labor laws; (2) factors that incite migrants to disengage from the formal legal system; (3) migrants' agency, which consisted of alternative adaptation strategies and techniques migrants employ to comply with, avoid, or maneuver around the law; (4) migrants' interactions with immigration officials, policemen,

and border guards; (5) migrants' labor arrangements, including the informal, parallel labor market, and everyday life under the conditions of the shadow economy; and (6) the street world, including how, why, and when migrants approach middlemen and racketeers. In addition, I collected data on (7) the role of civil society in migration processes; (8) the impact of corruption and a weak rule of law on migrant labor market and adaptation strategies; (9) migrants' smartphone-based transnational environments, including the various collective and individual coping strategies they employed within that environment, the ways they managed and maintained transnational relationships with their left-behind communities, and the ways they reproduced and enacted their village-level practices, norms, and identities in their daily lives in Moscow; and (10) the nuances and specifics of the Russian migration regimes in a global, comparative perspective. Although the empirical material presented in this book focuses largely on Uzbek migrants' legal adaptation strategies, it is important to emphasize that these adaptation and survival strategies are common to all Central Asian migrants in Russia and resonate with the experiences of other migrants from Azerbaijan, Armenia, Syria, Moldova, and Ukraine (see, e.g., Laruelle 2007; Malakhov 2014; Reeves 2015; Kubal 2016a, 2016b; Kuznetsova and Round 2018; Schenk 2018; Markovska, Serdyuk, and Sokurenko 2019).

Despite my efforts to ensure diversity, most interviewees were male; I was able to locate only a few female informants. This limitation can be explained in part by the actual gender composition of Central Asian migrants (Uzbeks and Tajiks) in Russia: 80 percent are male. Almost half of migrants from Kyrgyzstan are female, however, owing to historical and cultural factors. Historically, Uzbeks and Tajiks are considered the sedentary nations of Central Asia, with resilient community-based traditional institutions (*mahalla*) that survived Soviet cultural interventions and still preserve strong social and gender hierarchies, whereas nomadic nations of the region such as Kazakh and Kyrgyz were more receptive to Soviet modernization policies (Levi 2007). This explains why the majority of Uzbek and Tajik migrants are male, while women in Kyrgyzstan enjoy more mobility as a result of a less patriarchal social structure. Having said this, I want to emphasize that the legal adaptation and survival strategies of female Central Asian migrant workers do not differ significantly from those of male migrants in terms of their experiences of the shadow economy, weak rule of law, and corrupt legal system when interacting with labor market actors (employers, intermediaries) and state institutions and actors (police officers, immigration officials, and border guards). These observations have been confirmed by a growing body of literature that covers the experiences of Central Asian female migrant workers in Russia (Tyuryukanova 2011; Agadjanian and Zotova 2012; Agadjanian, Gorina, and Menjivar 2014; Gabdulhakov 2019).

During my field research I strived for spontaneity and sudden discoveries and treated migrants as experts on the migration situation in Russia. In other words I focused on their daily experiences with both formal and informal institutions as a lens through which to understand the functioning of the Russian migration

regime. My position in relation to my informants remained fluid, sliding between “insider” and “outsider.” I was an “insider” when relations between migrants, their left-behind families, middlemen, and Russian employers were smooth, but I became an “outsider” when conflict arose among parties. In such circumstances I approached each actor privately and maintained the confidentiality of information. This research took place with informants who were fully informed about its purpose, methods, and the use of the data. To ensure maximum anonymity, the names and whereabouts of informants have been changed, and only the most general information about the informants and fieldwork sites are provided.

TERMS AND CONCEPTS

As illustrated in the previous sections, I use a variety of terms and concepts to define the regimes that combine democratic and authoritarian elements. In line with Gilbert and Mohseni (2011) I employ the phrase *hybrid political regime* to refer to nondemocratic, nonauthoritarian regimes rather than using *democracy* or *authoritarianism* qualified by adjectives, which may lead to conceptual confusion and conceptual stretching.

The term *legal culture* is also frequently used in this book. A legal culture is one of the most central concepts in the sociology of law. There are many interpretations of this concept, as evidenced by the ongoing tension between legal positivists and sociolegal scholars. As described by Nelken (2004), most scholarly work continues to identify a legal culture within a nation-state, thereby focusing on facts about institutions, such as the number and role of lawyers, law enforcement, various forms of behavior such as litigation and prison rates, and how judges are appointed and controlled. Another account gleaned from scholarly works maintains that researchers must distinguish between the legal culture of “those members of society who perform specialized legal tasks” (internal legal culture) and that of other citizens (external legal culture). For example, Friedman (1975, 194) asserts that a legal culture may also represent “bodies of custom organically related to the culture as a whole.” In this book I utilize the concept of “legal culture” in broader terms, encompassing not only the (state) legal system and traditional legal institutions but also various informal (nonlegal) forms of normative ordering, such as unofficial laws or customary practices based on religious and cultural values.

I frequently refer to “migrant agency” when discussing migrant legal adaptation processes. My understanding of migrant agency relies on Emirbayer and Mische’s (1998, 963) conceptualization of human agency as the “temporary embedded engagement by actors of different structural environments through the interplay of habit, imagination, and judgment which both reproduces and transforms those structures in interactive response to the problems posed by changing situations.” I also rely on Sewell’s (1992, 20) definition of *human agency*: “To be an agent means to be capable of exerting some degree of control over the social relations in

which one is enmeshed, which in turn implies the ability to transform those social relations to some degree.”

We also need to define the terms in relation to noncitizens and their legal statuses. I use the terms *migrant* and *immigrant* interchangeably, given that the distinction between a permanent and temporary stay has become blurred in an increasingly transnationalized world. With regard to one’s legal status, I use *undocumented* to describe people living or working in a foreign country without the documents prescribed by the host country’s laws. In agreement with Kubal (2013c) I refrain from using the term *illegal migrants* because of its stigmatizing and politicized nature.

STRUCTURE OF THE BOOK

Chapter 2 discusses the impact of Russian immigration laws and policies on the formation of a shadow economy characterized by a large-scale migrant labor force. The chapter shows that Russian immigration laws and policies have produced unintended consequences; that is, rather than reducing the number of undocumented migrants, those laws and policies further pushed migrants into a shadow economy. This resulted from the Russian legal environment—which is characterized by rampant corruption, a weak rule of law, and arbitrary enforcement. These features imply that even migrants possessing all of the required immigration papers cannot be certain that they will avoid legal problems when they come into contact with Russian authorities. Owing to the complicated legalization procedures and the arbitrariness of laws, many migrants resort to working in the shadow economy, where they can work without documents. Hence, a distinctive feature of Russia’s migration regime is the rather large and continuous presence of a shadow economy heavily reliant on cheap and legally unprotected migrant labor. Thus, chapter 2 concludes by arguing for the need to consider the role of that shadow economy and the weak rule-of-law culture when investigating migrants’ legal adaptation to hybrid contexts, such as that in contemporary Russia.

Chapter 3 presents the case study group—Uzbek migrant workers—on whom the empirical data and analysis focuses. I argue that focusing on only the host country’s legal environment cannot explain satisfactorily the nature and quality of migrants’ legal adaptation. Hence, looking beyond the host country’s legal environment, we also need to understand migrants’ “legal baggage,” which they bring with them from their home to their host country—their attitudes toward the law, interpretations of legality and illegality, moral codes, religious values, established behavioral patterns, and the accustomed social practices that they internalized prior to their migratory experiences. Migrants import and adapt these premigratory cultural and normative repertoires to their host state, especially when they work and live under the conditions of a shadow economy. A better understanding of these processes can provide nuanced insights into migrants’ adaptations to a new legal environment. Thus, chapter 3 provides the reader with the contextual

information on Uzbek migrants' legal culture, which will prove instructive in understanding the empirical material in the chapters that follow.

Chapter 4 focuses on the migrant labor market in Russia and presents the ethnographic study of Uzbek migrants in the construction sector, where they work under the conditions of a shadow economy. This chapter shows that the use of a large-scale migrant labor force under these conditions led to the emergence of a "parallel world of migrants," based on its own economy, legal order, trust, and mutual aid networks. The existence of such an informal infrastructure allows migrants to devise specific integration and "legalization" strategies, create an informal job market, and establish informal social safety nets to share the livelihood risks and deal with emergency situations. At first glance these informal practices may come across as spontaneous responses; however, when we take their magnitude into consideration, they become a more or less institutionalized custom in migrants' daily lives. This chapter concludes by suggesting that the study of migrants' legal adaptation should look beyond the facade of the formal labor market and immigration laws and resituate the focus on migrants' agency and actual coping strategies under the conditions of shadow economy employment.

Chapter 5 presents empirical material on Uzbek migrants' everyday encounters with street institutions—namely, protection rackets, middlemen, and (former) employees of law-enforcement institutions who act on an informal basis as protection racketeers. I argue that street institutions are a salient feature of the Russian migrant labor market, where many migrants work without written employment contracts and experience problems securing payment for their work. Given the complete lack of security, migrants seek redress from street actors who provide alternative (to the state) forms of contract enforcement, debt recovery, and dispute settlement through threats, violence, and street law. I conclude the chapter by arguing that the legal adaptation of migrants in Russia must be understood not only through migrants' capacity to comply with immigration and labor laws but also in terms of their interactions with street-based legal orders that offer alternative forms of redress, legal adaptation, and economic security.

Chapter 6 examines Uzbek migrants' everyday encounters with two Russian state-level actors—namely, police officers and migration officials charged with the enforcement of immigration and labor laws. I argue that Russian policies of immigration control have further pushed migrants into the shadow economy rather than reducing the incentives for informal employment. This results from the vested interests of relevant Russian state-level actors (e.g., police and immigration officials), each of whom view the shadow economy as a *kormushka* (feeding-trough) and attempt to "take their own piece" of it. These patterns can be gleaned by attending to migrant workers' everyday experiences, tactics, and coping strategies when they try to negotiate the "rules of the game" with Russian migration officials and police officers. I conclude that although the processes and strategies mentioned above may come across as signs of corruption and a weak rule of law, they actually constitute a real mode of migration governance and, thus, reveal the broader

sociolegal context in which migrants' legal adaptation takes place. The intrinsic message of the chapter is that the study of migrants' legal adaptation should move beyond Western-centric perspectives emphasizing the merciless application of immigration laws (e.g., "legal violence," "legal nonexistence," and "deportability"). To better understand migrants' relationships to the host state's laws and institutions in hybrid regime contexts, a new analytical lens encompassing not only legal centralistic approaches, but also legal pluralistic perspectives (i.e., informal norms, rules and practices), should be introduced.

Chapter 7 presents the life histories of three Uzbek migrants (all male) in Moscow who experienced hardships and challenges during their first five years and then successfully integrated into the migrant labor market and the host society as a result of their knowledge of street life and informal rules. These case studies illustrate how migrants, despite their undocumented status, remain resilient and resourceful and display a significant capacity to maneuver around structural constraints, such as complicated residence registration and work permit rules, punitive laws, social exclusion, racism, and the lack of a social safety net. I argue that migrants are not just passive, agencyless subjects constrained by a restrictive legal environment but that they are capable of shaping and adapting their daily routines, mundane social interactions, and "legalization" strategies to the conditions of a shadow economy, a corrupt law-enforcement system, and a weak rule of law. Hence, the meanings and everyday experiences of "illegality" are geographically, politically, and historically contingent. Illegality does not automatically deprive migrants of their agency; in fact, it may incite them to produce new forms of informal governance and legal orders (informal adaptation) enabling them to avoid constraints imposed by restrictive immigration laws and policies. I conclude the chapter by suggesting that we need a more context-sensitive understanding of "migrant undocumentedness" that takes into account how the absence of legal status intersects with, on the one hand, the sociolegal environment, broader sociopolitical context, and regime type and, on the other hand, migrants' agency, experiences, and history.

Finally, in chapter 8 I bring together the primary empirical and theoretical findings of the previous chapters and consider them against the conceptual framework outlined in this introductory chapter. Key points, the contributions toward the study of immigrant adaptation, as well as debates and avenues for future research, are discussed. I discuss the distinct framework developed in the Russian context, placing it within the broader migration and sociolegal literature on immigrant legal adaptation, as well as its relevance and the scope of applicability to the study of immigrant legal adaptation in other hybrid regimes.