**Building 19, Room 608, 26 May 2017, 17:00-18:30**

Waseda Institute of Asia-Pacific Studies

Migration and Citizenship Research Group Colloquium

***Running into the dark: Legality, power and “conversion capability” among Chinese technical interns in Japan***

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**Abstract**

Critical studies of migrant illegality, which has emerged as a subfield since the late 1990s, has been dominated by the proposition that illegality is constructed by the state. The state “illegalizes” migrants because this is how sovereign power is asserted in face of globalization and how migrant labor is subordinated to capital. Based on ethnographic research on Chinese migrant workers in Asia, particularly “technical interns” in Japan, this paper demonstrates that, it is through the production of legality that migrant labor is controlled. Migrant legality is achieved through intricate collaboration among employers, intermediaries, and government agencies in both sending and receiving countries, which encapsulates migrants’ life. Legality is therefore as unnatural and problematic as illegality. In this context illegality is more a means of migrants’ resistance than that of domination by the state and capital. By examining how legality is maintained in the worksite, how migrants turn themselves into illegal (“running into the dark” as the workers have it), and how the system reacts, the paper suggests that underlying migrant (il)legality is struggles over “conversion capability”, that is, actors’ capability of turning legal regulations into advantageous positions in negotiation. Thus, amendment in the law itself is not enough, substantive social relations in the workplace and in the recruitment processes must be changed too.

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