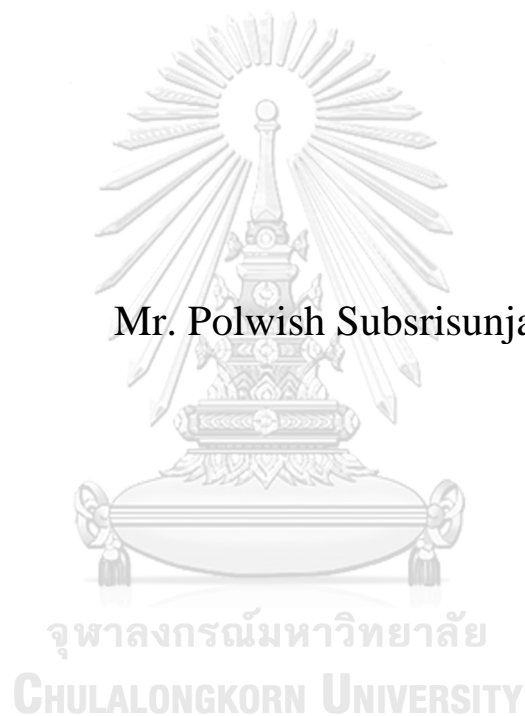


The Politics of Mobility, Structuration, and Infrastructure:
A Case Study of Myanmar Migrant Workers
under the Migrant Worker Management Regime in Thailand

Mr. Polwish Subsisunjai



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ระบอบบริหารจัดการแรงงานข้ามชาติในประเทศไทยถูกใช้จัดการกับกระแสการเคลื่อนที่ของแรงงานข้ามชาติระหว่างประเทศไทยกับประเทศเพื่อนบ้านมาเป็นเวลาเกือบ 30 ปี งานศึกษาหลายชิ้นแสดงให้เห็นถึงการผลิตสร้างของระบอบดังกล่าวผ่านกลไกหลากหลายรูปแบบ เช่น ระบบการควบคุมคนซึ่งมีใช้พลเมือง ระบบเอกสาร กระบวนการจัดหางาน กฎหมายและนโยบาย และการจัดแบ่งประเภทแรงงานข้ามชาติ งานศึกษาเหล่านี้มักจะกล่าวถึงแรงงานข้ามชาติในสองแง่มุมที่แตกต่างกัน ในแง่มุมหนึ่งแสดงให้เห็นว่าแรงงานข้ามชาติเป็นแรงงานระยะสั้นซึ่งถูกควบคุมและขูดรีดจากระบอบบริหารจัดการแรงงานข้ามชาติในประเทศไทย ขณะที่ในอีกแง่มุมหนึ่ง แรงงานข้ามชาติ คือ ผู้ย้ายถิ่นเชิงเศรษฐกิจซึ่งย้ายถิ่นจากประเทศต้นทางมายังประเทศปลายทางเพื่อแสวงหาผลประโยชน์ส่วนเพิ่ม วิทยานิพนธ์ฉบับนี้พยายามที่จะเสนอมุมมองที่ต่างออกไปในการศึกษาการย้ายถิ่นของแรงงานระหว่างประเทศในประเทศไทยโดยมุ่งให้ความสนใจไปที่การเคลื่อนที่เคลื่อนย้ายของแรงงานข้ามชาติ

ด้วยการเก็บข้อมูลเชิงคุณภาพกับแรงงานข้ามชาติชาวเมียนมาหลายพื้นที่ในประเทศไทย วิทยานิพนธ์ฉบับนี้ใช้แนวคิดหลักสามแนวคิด ได้แก่ การก่อตัวของโครงสร้างความสัมพันธ์ โครงสร้างพื้นฐาน และการเมืองของการเคลื่อนย้าย เพื่อที่จะฉายภาพว่าการก่อตัวของโครงสร้างความสัมพันธ์ในตลาดแรงงานของแรงงานข้ามชาติก่อตัวขึ้นผ่านปฏิสัมพันธ์ระหว่างการเคลื่อนย้ายของแรงงานข้ามชาติกับโครงสร้างพื้นฐานหลากหลายประเภทได้อย่างไร วิทยานิพนธ์นี้พยายามทำความเข้าใจกับความเป็นการเมืองของการเคลื่อนย้ายที่แสดงออกผ่านปฏิสัมพันธ์ระหว่างแรงงานข้ามชาติกับโครงสร้างพื้นฐานในการเคลื่อนย้าย วิทยานิพนธ์นี้ได้เสนอว่าระบอบบริหารจัดการแรงงานข้ามชาติแสดงให้เห็นถึงการรวมตัวของโครงสร้างพื้นฐานหลากหลายประเภท ระบอบดังกล่าวทำหน้าที่ที่เสมือนโครงสร้างพื้นฐานในการเคลื่อนย้ายโดยเฉพาะในแง่ของการเคลื่อนย้ายแรงงานข้ามชาติข้ามผ่านพื้นที่ทางภูมิศาสตร์ อีกทั้งระบอบยังได้สร้างช่องทางในการเคลื่อนย้ายหลากหลายช่องทางเพื่อเคลื่อนแรงงานข้ามชาติเข้าสู่สถานะของการถูกกฎหมายที่แตกต่างกัน แรงงานข้ามชาติจึงถูกทำให้เคลื่อนที่ต่อผู้เสนอการปรับเปลี่ยนของระบอบดังกล่าวเพื่อปรับเปลี่ยนสถานะทางกฎหมายของตน งานศึกษาชิ้นนี้ยังได้เสนอว่า ระบอบดังกล่าวมักจะสร้างเส้นทางที่ไม่ตรงไปตรงมาและจำกัดการเคลื่อนที่ของแรงงานข้ามชาติ ส่งผลให้แรงงานข้ามชาติต้องพึ่งพาทรัพยากรและผู้เล่นอื่นๆ ในการเคลื่อนย้าย นอกจากนี้ แรงงานข้ามชาติยังใช้การเคลื่อนย้ายในการต่อรองกับตลาดแรงงานด้วยเช่นกัน โดยเฉพาะในแง่ของรายได้ สภาพการทำงาน และการเคลื่อนย้ายการทำงานโดยมิได้สมัครใจ อย่างไรก็ตาม ในท้ายที่สุดแล้วข้อจำกัดในการเคลื่อนย้ายจึงนำไปสู่การลดทอนอำนาจต่อรองของแรงงานข้ามชาติกับตลาดแรงงาน

งานวิจัยชิ้นนี้ชี้ให้เห็นถึงการก่อตัวของโครงสร้างความสัมพันธ์ในตลาดแรงงาน ผ่านการพิจารณาความสามารถในการเคลื่อนย้ายในฐานะที่เป็นทรัพยากรประเภทหนึ่งซึ่งนอกจากไม่อาจเข้าถึงได้อย่างเท่าเทียมแล้วยังถูกช่วงชิงโดยผู้เล่นต่างๆ ท้ายที่สุดจึงนำไปสู่การผลิตสร้างและผลิตซ้ำความสัมพันธ์ทางอำนาจอันไม่เท่าเทียมกันระหว่างผู้เล่นต่างๆ ในตลาดแรงงาน

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Polwish Subsisunjai : The Politics of Mobility, Structuration, and Infrastructure: A Case Study of Myanmar Migrant Workers under the Migrant Worker Management Regime in Thailand. Advisor: Assoc. Prof. JAKKRIT SANGKHAMANEE, Ph.D.

The migrant worker management regime in Thailand has been operated to deal with the flow of migrant workers between Thailand and the neighbouring countries for almost 30 years. Several studies portray the production of the regime through various mechanisms such as non-citizen control system, documents regime, the employment process, policies and regulations, and classification of migrant workers. Under these studies, migrant workers have been presented in two distinct narratives; one is short-term labours, who are controlled and exploited by the regime, another is economic migrants, who migrate from home country to destination country in pursuance of incremental benefits. This thesis seeks to depict an alternative perspective for the study of international labour migration in Thailand by taking a critical look into the mobility of migrant workers.

Based on qualitative data collected from Myanmar migrant workers in various locations of Thailand, the thesis employs three concepts; structuration, infrastructure, and politics of mobility, to illustrate how the structuration in the labour market of migrant workers has been shaped through the interactions between mobility practices of migrant workers and multiple infrastructures. The thesis examines the politics of mobility expressed through the interactions between migrant workers and mobility infrastructure. It argues that the migrant worker management regime demonstrates assemblages of various infrastructures. The regime functions as mobility infrastructure, especially in mobilising the flow of migrant workers across geographical space and creating various mobility channels moving migrant workers into different levels of legality. Migrant workers, therefore, frequently move along with the configuration of the regime to adjust their legal status. The thesis also argues that the regime tends to create indirect courses and limits the mobility of migrant workers. As a result, migrant workers often rely on other resources and actors to enhance their mobility. In addition, migrant workers also employ mobility to negotiate with the labour market, especially in terms of income, working conditions, and involuntary job mobility. However, the limitations of mobility eventually lead to reduction of the negotiation power of migrant workers with the labour market.

The research highlights the structuration in the labour market through consideration of capability in mobility as a resource which is not only unequally accessed but also contested by varied agencies. It finally leads to the production and reproduction of unequal power relations among actors in the labour market.

Field of Study:	International Development Studies	Student's Signature
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CHAPTER I

INTRODUCTION

1.1 Background and Rationale of the Study

In 2015, Aow and Sandar, a newly married couple, travelled from Bago Township—an old town near Yangon, Myanmar—to Kanchanaburi, Thailand. They left their hometown to meet a broker in Yangon. The broker rendered a road trip for them to Dawai, a city located in Tanintharyi Region (called Tanao Si in Thai), the southern region of Myanmar sharing a long border with Thailand. Aow and Sandar crossed the border near Ban Phu Nam Ron checkpoint in Kanchanaburi Province. Then, they had to walk through the wood at night for eight hours, until they reached a small village. At the village, the broker piled them into the back of his pickup truck with the other passengers. During the journey, they were transferred to another car and arrested once by Thai police. The broker told them that she paid 8,000 baht to bail them out from the police station. Afterwards, Aow and Sandar started working in a dried-fruit factory in Kanchanaburi, a job arranged by the broker. However, the broker kept them waiting for three months, during which there were no available positions. The broker also loaned them money to cover living costs during this waiting period. In less than five years, Aow and Sandar have transferred in and out of four jobs, three of which were arranged by the broker who brought them to Thailand. After struggling to repay their debt to the broker for almost a year, they were assisted by a friend whom they met during the journey from Myanmar to Thailand, and found a job in Samut Sakhon Province (Interview, Aow, 28 June 2020).

Paisu has lived in Thailand for 7 years. He came from Rakhine State, located on the western coast of Myanmar. At eighteen, he started his first job in Thailand as part of a fishing crew in Pattani. After working around seven months, he moved to a rubber sheet shop somewhere in the south, and then to a garment factory for a short period. Afterwards, Paisu moved to Bangkok

city. He began working in a restaurant and some construction sites near Pratu Nam, a large market area in Bangkok. After a mere few months of working in the inner city, he managed to find a factory job in Bangpakok, a manufacturing area in Bangkok. Every other year since then, he has managed to shift from one factory job to another in that area (Interview, Pai Su, 28 June 2020).

Saya used to be a teacher. He taught 10th grade students in Thaton, a town in Mon State, located around 70 kilometres north of Mawlamyine. In summer 2013, he decided to visit his boyfriend, who was working in Samut Sakhon at the time. He wanted to work during his stay in Thailand. A broker facilitated his trip and arranged the paperwork for him. He received a temporary passport and work permit indicating that he was employed by a garment factory in Mae Sot, the border area in northern Thailand. Yet right after he arrived Mae Sot, the broker rendered a road trip for him to Samut Sakhon, a seaport city in central Thailand. Even though he paid the document fee of around 18,000 baht to the broker, the document he received could not apply to a job in Samut Sakhon. Thus, he started working in a furniture factory as an undocumented migrant worker. The employer deducted his wage 1,000 baht every month to bribe the local police. But once immigration officers inspected the factory, he knew that bribes would no longer protect him. Several times, he had to run and hide in the wood. He cannot return to Myanmar because his mother was very angry with him, as he is gay and ran away to be with a boyfriend. In fact, his mother announced that she was cutting off her relationship with him in his hometown's local newspaper. In the past seven years, Saya has changed three jobs, all of which are located in Samut Sakhon (Interview, Saya, 27 June 2020).

These are brief stories of migrant workers whom I met during my fieldwork in Samut Sakhon. I found that the stories portray the intensive mobility of migrant workers. Although several studies regarding the migrant worker management regime in Thailand demonstrate the rigid control over the non-citizen population (Chantavanich, Vungsiriphisal, & Laodumrongchai, 2007; Laungaramsri, 2017;

Pongsawat, 2007; Srivarathonbul, 2010; Taotawin & Satrakom, 2013), I instead capture the distinct perspective of migrant workers under the regime, especially highlighting their mobility.

The migrant worker management regime has been operated through various mechanisms such as establishing regulation, law enforcement, and a particular recruitment and employment process. The regime has controlled and monitored immigrants, not only when travelling in and out of the country, but also during the period that they stay and work within the country. For example, specific checkpoints regulate their entrance into the country. They must carry travel documents and have a visa stamp to show that they have been allowed to stay in the country. Also, they need to report the immigration officials periodically, as well as every time they change their residency. Regarding employment, migrant workers must be allowed to work. To do so, they must have the work permit, which indicates their workplace and employer. Moreover, every time they change workplaces or employers, they must report to the officials, which means that they need to be allowed by the officials to change jobs. Under such conditions, the mobility of migrant workers should be rigidly controlled and monitored. However, the stories above seem to illustrate these different circumstances.

Why are there so many movements—whether they are the relocation of residents or workplaces? Why can these migrant workers stay in Thailand for a long time if they are only allowed to stay and work in the country for a short period, around 2 – 4 years? How do the regimes—whether they be the regulations, the paperwork process, or the employment process—affect their mobilities? And, ultimately, if the regime strictly controls migrant workers in order to avoid permanent settling—which means that they are not allowed to stay in one place or the country for a long time—, is that the reason underlying their frequent moves, to prolong their ability to stay and work in Thailand?

Additionally, focusing on mobilities, I tend to perceive infrastructures containing them. Jakkrit Sangkhamanee (2017) defines infrastructure as the systems that are constructed for facilitating conveyance of the flow of people, goods, information, knowledge, ideas, and materials in order to connect and transcend the limitations of space and time. According to the stories above, it seems that these

immigrants had moved through various spaces, time, and systems. For example, they moved through the non-citizen control system, checkpoints, and documentation process. Their moves were also facilitated by various intermediates, such as brokers and government officials. Furthermore, they also moved through various dimensions, such as geography, time, legality, and labour market. Hence, infrastructures containing such mobilities should be taken into critical consideration. In this research, I bring attention to infrastructures, which contain, facilitate, and convey, the mobility of migrant workers. What are infrastructures which migrant workers move through? How do such infrastructures function? How have infrastructures been presented and adjusted? And how do migrant workers interact with such infrastructures?

Furthermore, the stories above also depict distinct aspects of mobility concerning experience, velocity, motive, route, rhythm, and friction. As suggestions of Tim Cresswell's concept (2010), he suggests taking a critical look into these aspects to examine the politics of mobility. Therefore, the lifepaths of migrant workers above bring my attention to their mobility outcomes and negotiation in the labour market. Why do the workers frequently change job? How could they benefit from changing jobs if their income relies on the minimum wage standard? How do migrant workers negotiate with mobility?

In summary, this research takes a critical look into the mobility practices of migrant workers in Thailand, particularly in the context of international labour migration. I aim to reveal the interactions between migrant workers and the migrant worker management regime as mobility infrastructure. I bring attention to the operation of the regime as infrastructures which contain and facilitate mobility of migrant workers. Finally, I highlight the political dimension expressed through the mobility performed by migrant workers under the migrant worker management regime in Thailand.

Labour Migration and the Labour Market of Migrant Workers

International migration can be broadly defined as “the crossing of national boundaries for a determined period of time, and whose statistical operationalisation implies the inclusion of any person living outside their nation of birth” (Punpuing, 2009, p. 3). By this definition, the state territory is one of the main variables defining

the economy, political conflicts, prosecution, environment degradation, natural disaster, or gender oppression.

Several migration studies attempt to demonstrate the reasons triggering labour migration. On the one hand, structuralism asserts that labour migration stems from the structural factor. For example, the dependency theory argues that disparity among countries leads to the movement of people from the peripheral country to the core country. The world system theory emphasises the process of labour commodification as a response to the transnational production process. Some scholars also demonstrate the rationale of labour movement caused by wage differentiation between two areas. On the other hand, the functionalists argue that labour migration is triggered by an individual's decision. They suggest that people move from one area to another to maximize their interests, whether as individuals or households. In fact, some scholars seek to combine the perspectives of structuralism and functionalism and approach labour migration at the meso level. The network theory and cumulative causation theory illustrate the pattern of labour migration as a perpetual process (Castles & Miller, 2014; Massey et al. 1994; Goss & Lindquist, 1995).

In the context of labour migration in Thailand, since the pivotal economic transformation from 1960 – 1990, Thailand has long been one of the major destinations of migrants among its neighbours. The structural change associated with the relocation of the manufacturing sector from the global north to the Asian countries has expedited the growth of the industrial sector in Thailand. The increasing labour demand shifted domestic labour from agriculture to the manufacturing sector, as well as mobilised the flow of labour from the surrounding countries into Thailand. Patama Vapattanawong et al. (2016) estimate that the number of migrant workers, including their families, might have reached 4.5 million in 2015. Yet, according to Vasu Srivarathonbul (2010), evidence suggests that the migrant workers in Thailand might have totalled 5 million people in 2006. However, Jerrold W. Huguet (2014) mentions that the stock of migrant workers in Thailand is approximate 3-4 million.

The increasing number of migrant workers reveals that low-skilled migrant workers have significantly contributed to the Thai economy (Pholphirul, 2012). In fact, it shows that the Thai economy has a high dependency on migrant workers. To maintain Thailand's competitiveness within the world market, the production's sector

heavily relies on the utilisation of low-skilled migrant workers for particular type of jobs. These so-called 3D jobs are dirty, dangerous, and demanding (Chantavanich & Vungsiriphisal, 2012).

Also, several studies describe migrant workers in Thailand as suppressed, precarious, vulnerable, and short-term labourers. Such studies depict the workers as being oppressed by the regime to exploit economic rent (Laungaramsri, 2017; Pongsawat, 2007; Taotawin & Satrakom, 2013). Similarly, Srawooth Paitoonpong et al. (2012) view labour migration through the lens of an economist. The movement of labour from neighbouring countries to Thailand is considered an investment process. The workers move from their home country in pursuit of employment for a certain period and return to their country of origin in a circular migration.

This study found that past studies are inadequate to address labour migration as the structuration of the labour market for migrant workers. Unlike structuralism or functionalism, this research perceives the labour market of migration workers as contestation and dynamic configuration. The labour market of migrant workers in Thailand is entangled with politics and dynamically shaped by the assemblages of infrastructures. To illustrate such circumstances, this study approaches the labour market of migrant workers in Thailand by exploring both mobility practices and mobility infrastructures in the migrant worker management regime.

The Migrant Workers Management Regime

Over more than two decades, Thailand's government has developed several mechanisms to manage the flow of migrant workers from neighbouring countries like Myanmar, Cambodia, and Lao PDR. Over the course of twenty-eight years, from 1992 to 2020, three main mechanisms have been developed to regulate the legality of migrant workers in Thailand; namely the domestic registration, the nationality verification, and the international employment process under the Memorandum of Understanding (MOU) on labour cooperation between Thailand and its neighbouring countries. Furthermore, migrant workers are regulated and monitored through various systems, such as the identification document system, border control and immigration system, and employment regulation.

Pinkeaw Laungaramsri (2017) describes the documentation of individual identity as the technology of power that the Thai state has developed to govern the

non-citizen population, from the pre-modern era until the present. Pitch Pongsawat (2007) emphasises the construction of border partial citizenship regimes, which play a crucial role in controlling and maintaining the labour process over the immigrant. According to this paper, migrant workers are confined to the partial citizenship status and exploited as cheap labour to nurture the Thai economy. Preuk Taotawing and Sutee Sattrakom (2013) employ the concept of regulation under neoliberalism to analyse the process of labour import under the Memorandum of Understanding between Thailand and its neighbouring countries. According to this paper, the MOU process, on the one hand, establishes the labour market of the migrant worker, on the other, authorises the role of the state in regulating the market. The role of the state is not limited to exercising its power to enforce regulations. It also plays a crucial role in facilitating the labour market, wherein employers, brokers, and workers frequently interact with each other. Simply put, while it is the role of the state to be both facilitator and enforcer, the MOU process becomes the mechanism for facilitation and regulation, as well as managing the flow of labour migration.

The migrant worker management regime has emerged through the implementation of various mechanisms, including issuing a policy, establishing regulations, enforcing the law, and developing process (i.e., recruitment, employment, and international cooperation). On the one hand, the Thai state employs the regime to monitor and regulate migrant workers who stay, work, or wish to work in Thailand. On the other hand, the regime forces its operation upon migrant workers to create short-term labour and avoid permanent settlement. Specifically speaking, the migrant workers are likely to be forced to become short-term workers for extracting their labour power to nurture the economy. They are also made into mobile workers who must move continuously to avoid settlement in Thailand.

Research Problem

This study aims to approach the structuration of the labour market in which migrant workers are employed by examining of mobility practices of Myanmar migrant workers living in Thailand. I attempt to illustrate the contestation and dynamic configuration in the labour market of migrant workers employment. I employ the Anthony Giddens' structuration concept (1984) in my approach on Thailand's labour market of migrant worker, demonstrating the different perspectives

of structuralism and functionalism. This study does not perceive migrant workers as surrendered subjects, completely controlled and suppressed by the structure. Likewise, the structure is not a static figure, pressing its operations upon the workers. Accordingly, I aim to study the dynamic interactions between Myanmar migrant workers and the migrant worker management regime in order to demonstrate the structuration of the labour market in which migrant workers are employed.

In this research, I perceive the migrant worker management regime as infrastructure, performing its function to shape the mobility of migrant workers and labour migration in Thailand. I conceive that the regime displays the characteristic of a large-scale infrastructure, mobilising the flow of migrant workers across the limitations of space and time (Sangkhamanee, 2017). Such an infrastructure takes various forms, such as the documentation regime, employment process, classification of citizenship. Also, it reflects dynamics and contestation by multi-agents. Accordingly, the research aims to illustrate how the regime has been exhibited and configured since 1992. This study provides context for understanding the mobility infrastructure of migrant workers in Thailand.

In order to examine the interactions between migrant workers and the regime, I pay attention to the mobility practices of migrant workers from Myanmar living in Thailand. I employ Tim Cresswell's concept (2010), considering the politics expressed in mobility practices. In this regard, I focus on three aspects: the cross-border movements and documentation system, job mobility, and mobility outcomes.

Finally, the study aims to contribute to the perspective of an international development paradigm. The research demonstrates that the mobility of the social system is not a straightforward process. I aim to raise awareness of the power relations embedded within the social interactions between humans, systems, and infrastructures. Consequently, the social system should be perceived as a structuration process, rather than a linear construction.

1.2 Research Question

The study asks a core question in its contribution to the theoretical discussion, stated as follows:

- How has the structuration in the labour market of migrant workers been shaped through the interactions between mobility practices of migrant workers and infrastructures?

In order to discuss this question, the study answers these three research questions:

1. How has the migrant worker management regime been exhibited and configured *as mobility infrastructure*, shaping the mobility of migrant workers and international labour migration in Thailand?
2. How do the mobility practices of Myanmar migrant workers in Thailand *interact* with the migrant worker management regime, especially in terms of cross-border movements and documentation system, job mobility, and mobility outcomes?
3. How have *the politics of mobility* been expressed through the interactions between migrant workers and the migrant worker management regime in Thailand?

1.3 Research Objective

1. To illustrate how the migrant worker management regime has been exhibited and configured *as mobility infrastructure*, shaping the mobility of migrant workers from Thailand's neighbouring countries.
2. To demonstrate how the mobility practices of Myanmar migrant workers in Thailand interact with the migrant worker management regime, especially in terms of cross-border movements and documentation system, job mobility, and mobility outcomes.
3. To examine how *the politics of mobility* have been expressed through the interactions between migrant workers and the migrant worker management regime in Thailand.

1.4 Conceptual Framework

This study draws from three main concepts for creating conceptual framework: structuration, infrastructure, and politics of mobility. First, I approach the labour market of migrant workers through the structuration concept of Anthony Giddens (1984). This concept constructs my perception on the labour market for employing migrant workers as a duality of structure. That is, the structure is not an external factor for individuals. While it shapes the actions of the agency, the structure itself is also reshaped by such series of actions. Thus, instead of conceiving the structure as a static figure, I perceive the structure as dynamic, as evidenced by the interactions emerging within the social system. The labour market of migrant workers employment reflects such perceptions in my study. Also, the structure can be described as rules and resources. The agencies utilize those rules and resources when performing their actions. The series of actions are performed within the social system. Giddens' concept (1984) instructs me to pay attention to the series of actions, which reflect the intention and capability of the agency. In this sense, the actions of agencies are not only shaped by their knowledge; they also express their power. This idea leads me to explore the knowledge and power relations expressed by the mobility of migrant workers.

Second, to approach the idea of knowledge in structuration theory, I employ the concept of infrastructures to understand the landscape of the migrant worker management regime. I conceive such a regime as infrastructures performing their functions in accommodating, facilitating, and containing the mobility of migrant workers. I do not perceive these infrastructures as isolated, materialized, static, or functional units. On the contrary, infrastructures can be described as assemblages, ties, non-material, dynamic, and practical (Harvey, Jensen, & Morita, 2016; Sangkhamanee, 2017). The migrant workers management regime demonstrates the assemblages of various infrastructures such as the document regime, non-citizen control, policies and regulations, employment process, and classifications of migrant workers. These assemblages reflect the large-scale infrastructures dynamically configured by various forces of multi-agents. Consequently, the regime has been experimentally and inconsistently exhibited over the course of time and space. These

perspectives lead to the exploration of politics expressed through such configurations. However, it is worth noting that the functions by which infrastructures are operated are not the same as what they are publicly exhibited as being. Agents can interact with infrastructure in different ways. Accordingly, the operation of infrastructure should be disclosed through the interactions among agents and infrastructures, rather than through the functions exhibited. Consequently, I decide to navigate the practices of migrant workers operating their mobilities to examine the migrant worker management regime as infrastructure.

Third, the concept of mobility turn is applied in my exploration on the mobility practices of migrant workers. While the concept of infrastructures reveals a decent connection to the mobility infrastructure (Lin, Lindquist, Xiang, & Yeoh, 2017; Sheller, 2014; Urry, 2007; Xiang & Lindquist, 2014), the politics of mobility by Tim Cresswell (2010) demonstrates how the mobility practices of migrant workers entangle with political determinations. I pay attention to the case study of mobility practices performed by Myanmar migrant workers living in Thailand. In order to examine interactions between migrant workers and the migrant worker management regime as mobility infrastructure, I focus on three dimensions: cross-border movements and documentation system, job mobility, and the mobility outcomes. These interactions illustrate the politics of mobility which are embedded in the series of activities, wherein migrant workers mobilise and seek employment in Thailand's labour market. Also, it discloses how mobility infrastructures functioned according to such interactions. The findings lead to the theoretical discussion on the structuration of labour market for migrant workers in Thailand.

In conclusion, the study integrates all the above concepts into the operational conceptual framework for approaching the labour market and mobility of migrant workers. I pay attention to the mobility practices of Myanmar migrant workers to examine the mobility infrastructures. I conceive the migrant worker management regime as the exhibition of infrastructure, shaping the international labour migration of migrant workers from Thailand's neighbouring countries. Lastly, I argue that the politics of mobility and dynamic configuration of infrastructures lead to structuration of the labour market in which migrant workers are employ. The study argues for the perspective of development paradigm as adhered to the linear development of either

functionalism or structuralism. The study attempts to demonstrate that the mobility of social system is not a straightforward process. On the contrary, the evolution of the social system takes shape through the contestation and negotiation among social actors exercising their power over space and time.

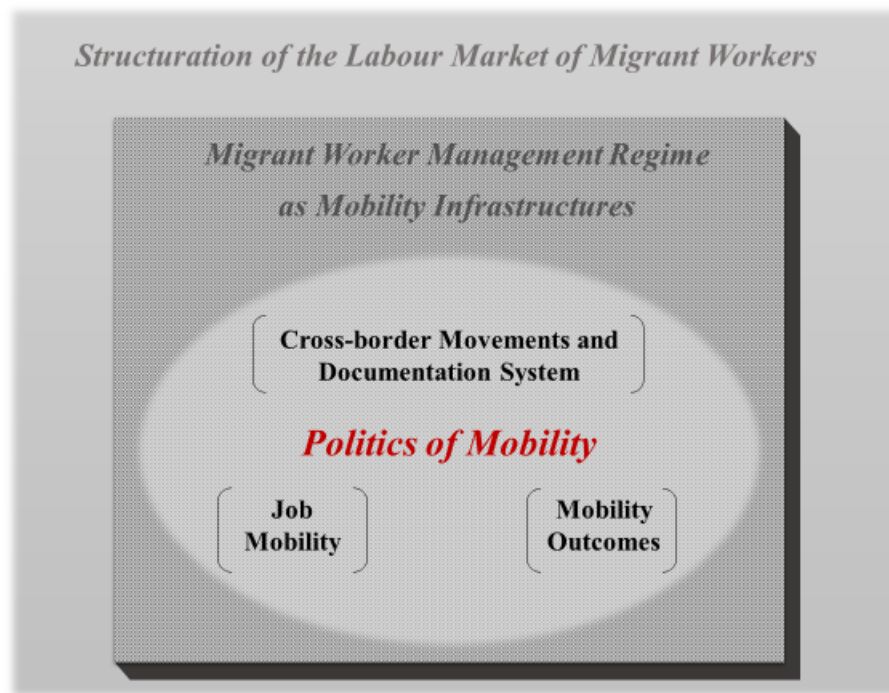


Figure 2 Conceptual Framework

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1.5 Research Methodology

This research studies human mobility as performed by migrant workers under the migrant worker management regime in Thailand. However, instead of an area-based study, my conceptual framework brings attention to the activities of movement performed across the intersection of time and space. The research aims to reflect the macro-level of the regime by exploring individual workers, instead of focusing on the provincial or community levels. Additionally, the areas I select for conducting data collection is determined by the limitations of the study, rather than to limit its analysis to those specific areas. To extent my point of view, in this section I

will further discuss the unit and level of analysis, research scope, and data collection methods.

Unit and level of analysis

This research combines two levels of the data: macro and micro level. At the macro level, I am interested in the migrant worker management regime, ranging from policies and regulations, the construction of regulating and controlling mechanisms over migrant workers, the cohort of the migrant population at large, to the mobility infrastructure of migrant workers.

At the micro-level, the study focuses on the series of actions and perspectives in the individual level. I pay attention to the actions of movement, as well as their articulation of motivation, feeling, and perspective. In terms of analytical perspective, I hold the perspective of social system as duality in order to break the dichotomy of macro- and micro- view. I bring attention to the interactions between social structure and agency that shape and reshape each other (Giddens, 1984).

Research scope

The study highlights the mobility practices of migrants after they migrate to Thailand, including the cross-border movements and the mobility within the documentation system, job mobility, and the outcome of mobility.

At the macro level, the study explores the migrant worker management regime within the Thai government's policies during 1992 – 2020. The Thai state has constructed the migrant worker management regime, specifically to control and regulate the migrant population from its neighbouring countries, namely Myanmar, Lao PDR, and Cambodia. The regime specifically targets the economic migrants, the so-called low-skilled migrant workers from neighbouring countries. It is worth noting that, though I found the regime to be continuously configured, I limit my exploration of the policy dynamic to the period of 1992 to 2020 for two reasons. First, the policy relating to migrant worker management was first implemented in 1992. Second, this study is written early in 2020.

Regarding the mobility practices of migrant workers, I limit my exploration to Myanmar migrant workers living in Thailand. The research has its limitations to investigate the mobility practices of these population group from their country of origin due to time and budget constraints. Yet, Myanmar migrants were selected for

two reasons. First, it appears that Myanmar migrants are the majority migrant population in Thailand, compared to the other nationalities. Second, the study has limited accessibility of the informants, due to language barriers, budget limitations, and time constraints. Therefore, only one nationality was selected in order to deal with such constraints.

Data collection

This paper employs qualitative data collection with multiple data collection methods. Each method is used for different purposes as follows.

a) Document research

The study explores the migrant worker management regime in Thailand. I study the dynamic configuration of the regime from 1992 to 2020. Sources of data for the desk review include relevant laws, policies, cabinet resolutions, researches, theses, reports from the non-government organization, and reports from international organizations.

b) Interview

The interview is conducted to collect data regarding the mobility practices of migrant workers. The study highlights workers who migrated from Myanmar. The practices of mobility, which are the focus in this study, are movements relating to employment. I use the snowball sampling technique to approach the informants. I selected Samut Sakhon Province as the main area in which to conduct the interviews. The area selection is not based on an approach of the area-based study. First, the study does not aim to explore the specific factors embedded within a particular area. As discussed in the previous section, the study aims to depict the movement of the workers across different times and space, rather than analysing the structural factor in the provincial or community level as an area-based study. Second, Samut Sakhon Province was selected for several reasons: the density of migrant workers, the budget constraint, and limitation of the study timeframe. In addition, during the period of data collection, I worked for a non-government organization dealing with migrant worker issues. One of its offices is located in Samut Sakhon. The interpreter working in this area plays an important role in this research, serving as the gatekeeper for accessing migrant communities.

The objective of the interview is to examine the mobility practices of the worker, in terms of both the series of actions and the perspective. The study employs the politics of mobility concept to examine the workers' practices (Cresswell, 2010). The interview is conducted in two rounds; the first round was conducted in 2017, and the second round in 2020. The interview method includes a semi-structured interview, in-depth interview, and focus group discussion.

1.6 Presentation and Organization of Thesis

In the next chapter, I discuss the literature review relating to my studies. I begin by introducing the concept of structuration and discussing the theoretical review of structuralism and functionalism's perspectives on international labour migration. Then, I elaborate the concept of infrastructure to analyse the migrant worker management regime in Thailand. In the last section of Chapter II, I explore the mobility concept and discuss how to understand the politics of mobility expressed by migrant workers in Thailand.

In Chapter III, I illustrate the landscape of the migrant worker management regime. I draw upon the concept of infrastructure to examine how the regime has been configured and exhibited over the historical timeline. Then, I specifically bring attention to the regulations pertaining to the employment of migrant worker and brokers. In this chapter, I gather data from various sources, including government officials, cabinet resolution, reports, and key informant interviews. This chapter constructs the understanding of the migrant worker management regime in Thailand, as background for building upon the exploration in Chapter IV.

In Chapter IV, I examine the mobility practices of migrant workers from Myanmar. The data in this chapter was gathered from interviews and discussions with several migrant workers in Samut Sakhon and Bangkok. I highlight three major aspects: document-related movement, job mobility, and social mobility. I draw upon the concept of the politics of mobility to examine such mobility practices. This section illustrates how migrant workers interact with the migrant worker management regime as their mobility infrastructure. Also, it demonstrates the political dimension expressed through the workers' practices.

Lastly, the final chapter will conclude this thesis. In it, I reiterate the findings and discuss its theoretical contribution. The chapter demonstrates how the politics of mobility and infrastructure shape the structuration of the labour market for migrant workers in Thailand. The discussion contributes to labour migration study and the international development paradigm.



CHAPTER II

REVIEW OF THEORIES, CONCEPTS AND RELEVANT STUDIES

This section presents the theories which I sought to create my conceptual framework for this research. I begin by introducing the structuration concept of Anthony Giddens for grounding the perspective towards approaching the study of labour migration. Then, I explore the studies regarding international labour migration, including both theoretical and empirical studies related to Thailand. After that, I review the concept of infrastructure to analyse the migrant worker management regime in Thailand. Then, I introduce the new mobility concept which I employ for approaching mobility practice of Myanmar migrant workers in Chapter IV. This chapter aims to portray the landscape of migration study in relation to employment of migrant workers in Thailand as well as providing an analytical framework of this study.

2.1 Structuration and Debates in Migration Studies

I. Debates on Structure and Agency and Structuration Concepts

The debate between structure and agency is one of the basic controversial topics in social science. Likewise, migratory scholars often skirt around such dichotomous discussions. On the one hand, decision-making as an individual is valued as a key driver of migration. On the other hand, another group of scholars pay attention to the role of social structures in shaping the pattern of migration processes. Yet, other theorists seek a middle ground to describe migration by combining the perspective of structuralism and functionalism (Bakewell, 2010).

To ground the discussion for this section, the meaning of structure and agency seems to be a decent starting point. According to William H Sewell Jr (1992) (p.20) the agency refers to the capability to control the social relationships in which the actor relates within any circumstance. On the other hand, structure refers to

something more abstract and controversial (Bakewell, 2010; Giddens, 1984; Sewell Jr, 1992). Scott and Marshall explain that “The notion of social structure is concerned with any recurring pattern of social behaviour; or, more specifically, to the ordered interrelationships between the different elements of the social system or society” (Scott and Marshall (2009), cited in Bakewell (2010), pp. 1694-1695). To extend such an explanation, Sewell Jr (1992) explains that “structure operate in social scientific discourse as a powerful metonymic device, identifying some part of a complex social reality as explaining the whole”. However, Anthony Giddens (1984) distinguishes the concept of structure in structuralism and the structuration concept. The structuralism scholars tend to refer to structure as an external factor that affects human actions in terms of creating restrictions on the initiative to make a decision or act independently under their own will. On the other hand, Giddens offers a different perception of the structure. He suggests the dualistic attribute of the structure. While the structure is shaping human behaviour, the structure itself has been produced and reproduced by human actions as well. The structure, thus, abstractly exists in both the internal and external social systems.

According to Giddens (1984), the connection between structure and action of the agency is the fundamental tenet of social theory. Structure and agency are a duality, which cannot exist apart from each other. Giddens distinguishes duality of social structure from the dualism or the binary opposition perspective. He argues that while the social structure shapes human action; human action can lead to the production and reproduction of social structure. The structure is constituted, maintained, and configured by the action of the agency. On the other hand, human action also needs structure to contain its meaning. Therefore, instead of separate determination structure and agency as the binary opposition, their interactions should be taken into consideration (Puanghut, 2006, 2008).

Table 1 The Duality of Structure

Structure(s)	System(s)	Structuration
Rules and resources or sets of transformation relations organised as properties of social systems	Reproduced relations between actors or collectivities, organised as regular social practices	Conditions governing the continuity or transmutation of structures, and therefore the reproduction of social systems

Source: (Giddens, 1984, p.25)

Structuration concept points out the differences between actor, agency, and action. Actor refers to the agent who not only operates action but also rationalises and reflexively monitors such actions. Action means a flow of the continuous process that is maintained by the individual. It is worth noting that Giddens distinguishes between rationalisation, reflexive monitoring, and motivation of action. These three-dimensional processes are not the same, but they were embedded within the continuous flow of conduct. Since human action contained such a set of processes, action, thus, is not equal to an aggregation of acts. On the other hand, the agency refers to the intention and capability of doing something. The complexity of the agency is that there are logical connections between intention and capability. Intention connects with purpose, reason, and motive, while capability relates to power and knowledge. To put it another way, agency reflects the flow of action that not only limits its knowledge but also expresses its will and exercises its power. The appearance of agency, thus, occurs within the structure that allows it to perform.

Besides, the structuration concept breaks down structure into rule and resource. Rule plays its role in framing human action while resource makes the action possible. People utilise rule and resource to operate their everyday life. Utilising such rules lead to the reproduction of the rule. The flow of action and interaction shapes the structure. Social structure, therefore, is not an external factor putting the constraints over the human action but interacts with human action too. Besides, the concept also distinguishes between structure and system. While structure organises sets of rules and resources, human agent employs rule and resource to create action. The social

system contains human activities while recursively operates structure. The system allows the recursive operation between human activities and structure to reproduce across time and space.

In terms of migration study, Jon Goss and Bruce Lindquist (1995) also employ structuration concept to analyse international labour migration. They develop the perspective of migrant institutions to capture the complexity of overseas labour migration. Since the structuration concept demonstrates that structure can be determined as rules and resources, Goss & Lindquist (1995) argue that the migrant institutions are the articulations of such rules and resources. In this regard, individuals strategically utilize these rules and resources to operate their activities of international migration especially for seeking overseas employment. The operations of individuals are performed in accordance with the knowledge of the rules and accessibility to resources within the institutions. Labour migration, thus, is operated within migrant institutions that are produced and reproduce through the series of actions of individual migrants.

However, migration study has been extensively approached by the concept of structure and agency. Therefore, in order to understand how the structuration concept can fill the gap in either academic or social research, it is worth exploring such studies to capture the international labour migration context in Thailand.

II. Debates on Structure and Agency in Migration Studies

Migration theory that reflects structural perspectives often describes migration in the political economy relationship between sending country and receiving country. Such theories depict migrant workers as the players facing exploitative circumstances and being absorbed as labour-power by the structural disparity such as neo-Marxist dependency theory, world systems theory, and modes of production theory. The dependency theory tends to perceive labour migration as a result of the disparity among the area. The core country will absorb labour resources from a peripheral country. The peripheral country, thus, performs as the pool of labour, providing labour-power to the core. World system theory has a close view of the former theory in terms of exploitative circumstance. Yet, the latter theory

emphasises the process of labour commodification for responding to the transnational production process. Labour power, therefore, is commodified and fed into the global economy market (Goss & Lindquist, 1995).

Another perspective illustrates the structuralism perception based on macroeconomic disciplinary. Regarding the wage's differences between labour market, the segmented labour market theory provides the rationale of the labour movement from the low wage area to the higher wage area. The economic model suggests that while one area develops a circumstance of extreme oversupply of labour, due to high unemployment rate, or underdevelopment of production sector, another area may be able to absorb an unlimited supply of labour with a slight wage differentiation (Lewis, 1954). According to Doeringer and Piore (1975), the structure of the labour market has been broadly divided into two segments. They argue that the dual segments consist of the primary and secondary labour markets. In the primary labour market, labour employment will be driven as an investment in human capital. Labours in such markets are the ethnic member of the majority population and entitled to complete legal status. The worker might earn a higher social status as well as work benefits. On the other hand, workers in the secondary market obtain lower education, being an ethnic member of the minority population and demonstrating an incomplete legal status. The latter marker demonstrates an unpleasant working condition, low benefit, and insecurity.

Besides, the functionalism scholars also present the individualistic view in analysing the migration process. Everett S. Lee (1966) offers the push-pull model. He proposes that migration stems from the decision-making of individuals by determining the structural factors in one area compared to another. The push factors include unemployment, imbalanced population structure, low economic opportunities, and political uncertainty. In contrast, the pull factors in another area demonstrate the better conditions in the social, economic, and political environment. Another similar view is the mainstream economic discipline, so called the neoclassical economic theory. The latter scholars explain that the decision-making of individuals is based on their pursuits of maximising utility. Such scholars employ economic hypothesis to explain that migration is caused by individual decision-making for maximising economic benefits. The decision was made in a feasible way as investment by

determining cost and benefits from migration (Becker, 1962; Borjas, 1989; Sjaastad, 1962; Todaro, 1969). Stark (1991) offers a broader perspective by considering migration as households' strategy. For instance, He offers to include migrant's family strategies, such as risk diversification and accessing the resource in other areas, as the factor triggering the migration process. However, whilst such perspective seeks to go beyond the individual decision making on maximizing income, the concept remains based on the rationale of neoclassical economic theory which perceives migrants as homo economicus who based their decision-making process on maximizing utility.

However, some migratory scholars also seek the middle ground in explaining migration by combining the concept of structuralism and functionalism. The network theory emphasises the migrant networks as “a set of interpersonal ties that connect migrants, former migrants, and non-migrants in origin and destination areas” (Massey et al., 1994) (p.728). The ties can be a related form of kinship, friendship, and shared community in the origin country. Migrant networks can reduce the cost and risk of the migrant as well as transferring information. This theory offers the micro perspective to explain the action of the migrant at an individual level. The cumulative causation theory, on the other hand, extends the perspective of the network theory to the macro-level analysis. The cumulative causation theory perceives that the accumulation of migrant behaviour eventually forms the structure that supports and prolongs the migration process. Such a mechanism plays a role in inducing, supporting, maintaining, and facilitating migration so that it makes migration a perpetuating pattern (Castles & Miller, 2014; Massey et al., 1994).

III. Macro Analysis of Migration in Thailand and Regional Context

The figure from Overseas Employment Administration Division shows that the number of Thai workers who are working overseas is 121,922 (Overseas Employment Administration Division, 2020) compared to the total number of foreign workers in Thailand which is more than 20 times higher. To explain the phenomenon of labour migration in the Greater Mekong Subregion (GMS), Hossein Jalilian (2012) elaborated that the people from peripheral countries, namely Myanmar, Lao PDR, and Cambodia, move towards Thailand as a core country. According to the core and

periphery concept, core countries can generally be called a higher development country compared to the periphery country. Driven by the expansion of the industrial and service sectors, the growth of the Thai economy has attracted the population's flow from neighbouring countries. Thailand has shifted its labour situation from a labour-export country to be a labour-import country since the early 1990s. Since the early 1990s, the flow of workers from Myanmar, Lao PDR, and Cambodia have moved towards Thailand. While the worker flow from Vietnam, which could be called a semi-periphery country at the time, and also has no border connection with Thailand, has mainly migrated to other countries.

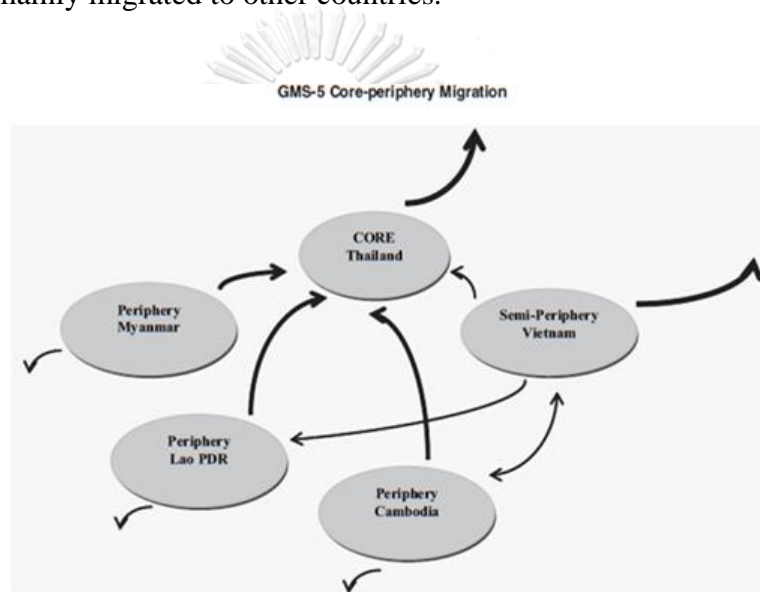


Figure 3 GMS Core-Periphery Migration, Source

Source: (Jalilian, 2012)

Jalilian (2012) points out that the migration of Intra GMS countries was driven by the industrialisation in Thailand. Economic growth attracts foreign direct investment. The mode of production shifts from agricultural-based to industrial-based with export-oriented production. The surge of labour demand to support economic growth leads to an insufficient internal workforce. Considering the population structure of Thailand, the low fertility rate combined with the reforms of the education system have resulted in a higher minimum wage in Thailand compared to neighbouring countries. As a result, echoing the economic theory, the labour from the

countries which have a surplus supply of labour and lower-wage, flow to other countries which lack labour supply and offer a higher wage. Specifically speaking of Myanmar-Thailand migration, Chantavanich et al. (2007) suggest that the movement of migrants from Myanmar into Thailand since the 1990s has stemmed from the pull factor in Thailand and push factor in Myanmar. The major pull factors of rapid economic growth and labour shortages resulted in the wage differentiation of both countries. On the other hand, the push factors in Myanmar include political turmoil, unemployment, and poverty. Plus, Thailand has the most extended border connection with Myanmar compared to other countries, approximately 2,400 kilometres. Also, the government of both countries demonstrate insufficient capability in border control. All the factors result in the continued movement of people in and out between the two countries. Krittaya Atchawanitchakun et al. (1997) summarise the factors causing Myanmar-Thailand migration into seven:

- 1) The differences in economic growth
- 2) Differentiation of population structure
- 3) Conflict and political issues
- 4) The condition in resource allocation and accessing environment
- 5) Government policies
- 6) Supplementary factors such as information, transportation, and migration network
- 7) Human trafficking and transnational crimes

IV. Migration Driven: Migration as Economic Behaviour

The functionalist scholars demonstrate the voluntary migration as economic migrants. Srawooth Paitoonpong et al. (2012) study the journey of migrant workers under the MOU as a cyclical migration process. The diagram below presents the cycle of the labour migration process. At the pre-migration stage in the origin country, the worker considers migrating to work in another country. They travel to the host country, work and decide to move further or return to their home country. The process will be repeated if they decide to go back to work in the host country again or move to another country.

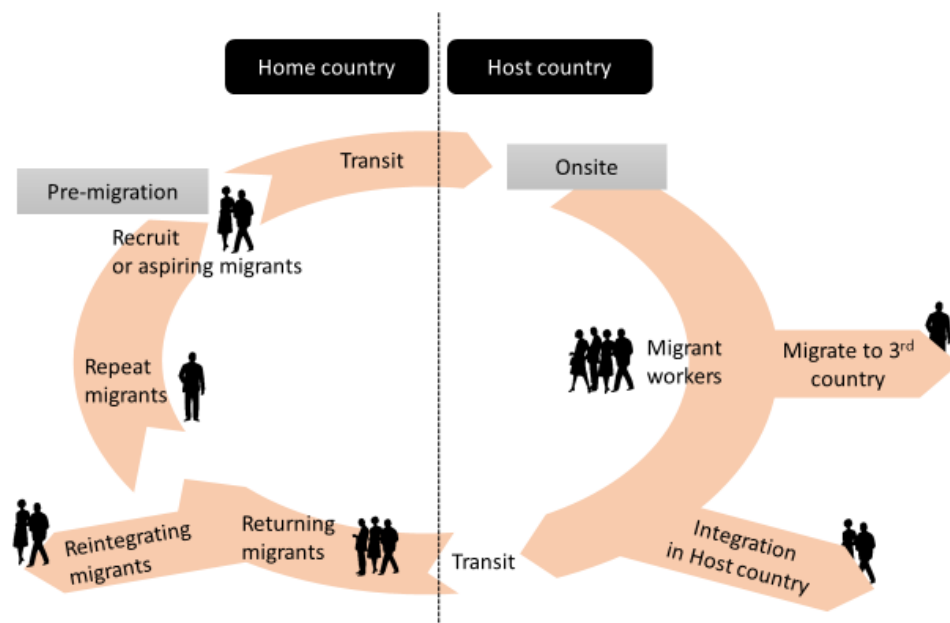


Figure 4 Migration Cycle

Source: Adapted from Asian Migrant Centre cited in Paitoonpong et al., 2012, p.266

According to George J Borjas (1989), migration is perceived as an investment process. Whether it is an individual decision or household strategy (Stark, 1991), the decision-making process is based on cost and benefit considerations. The study of Paitoonpong et al. (2012) applies Gary S. Becker's (1964) model to assess the cost and benefit of Cambodian and Laos workers who migrate to working in Thailand for approximately four years. The net benefits are compared between MOU workers, irregular documented migrant workers, and undocumented migrant workers. The study reveals that the Cambodian MOU workers gain the highest benefit of 86,528 baht (2,704 USD, at exchange rate 1 USD approximate 32 baht) for an average 3.8 years of working or 22,770 baht per year. The documented irregular migrant workers and undocumented migrant workers will gain the lower benefit, 76,608 baht (2,394 USD) and 75,264 baht (2,352 USD) respectively, for the same working period. Laos workers tend to receive a lower benefit. Documented irregular migrant workers from Lao PDR gain 69,856 (2,183 USD), and undocumented workers gain 61,504 baht (1,922 USD) for an average of 4.1 years of working. Yet, the author did not access MoU worker from Lao PDR due to insufficient data at that time. The study concluded

that although the MOU process incurs the higher cost, it can increase the opportunity to gain higher income at least close to the minimum wage in Thailand. On the other hand, the other type of workers, either documented or undocumented workers, tend to be faced with wage suppression circumstances at higher levels due to their insecure legal status.

It is worth noting that the study seeks to classify the cost of migration into a fixed and variable cost. The fixed cost is the expenditure that is not varied by the period of working in Thailand such as travelling cost, brokerage fee, documenting fee, accommodation during transit, medical examination expense, training cost and assessment fee etc. Variable cost covers the expenditure incurred during the working period; thus, it will vary by the period of working in Thailand. The variable cost includes food and accommodation expenses, transportation cost, medical expense, clothing, personal care, communication fee, remittance fee, renew document fee, recreation expense etc.

However, there are several flaws in the study. First, the financial costs that were calculated in the study may not reflect the actual cost of migration. There are several types of costs that the study did not cover, such as opportunity cost, social cost, or psychic cost. It is worth noting that if the cost does not reflect the actual cost, the calculated net benefit will not be able to reflect the actual benefit. Besides, the fundamental weakness in the calculation by cost and benefit models is that they don't cover the social cost. For example, the migration process may incur other social or psychological costs, such as being away from family or losing social bonds or network in the origin community. On the other hand, in terms of benefit, the main problem may go through how to access the long-term benefits gained from migration such as skill development, or the cost reduction through developing a relationship with a migration network, or the benefit from social mobility.

Another weakness of the study is that the underlying assumption of considering migration to be a cyclical process. Based on this study, migrants are expected to move from one place to another within a specified period. The study, thus, did not show the breakeven point of migration even if considering it as an investment. The study opts to assume the average working period, 3.8 years in case of Cambodia and 4.1 years in case of Laos. It is worth emphasising that there are no

studies that can reveal the actual working period of migrant workers due to the variety and inconstancy affected by several external factors. The study also noted the number of workers who flee from the employer before finishing the employment contract.

In conclusion, based on debates in migration studies, I would like to put forward some discussions. First, structuralism concepts often exert the perspective of the structural pressure to maintain control over the agency. I tend to perceive that an agency can demonstrate their method to respond with the structural pressures. The agency, thus, should not be presented as a docile body being controlled by the structure. Another point is that structuralism tends to demonstrate the structure has a static appearance. I rather perceive the structure as an abstract existence which is being configured and reproduced by the interactions and collisions with the series of actions of the agency.

Second, functionalism scholars portray the capability of agency as an individual who can demonstrate their own preference. Such a perspective, sometimes, takes the limitations shaped by the structure for granted. My point of view is that migrants, at some level, have a hard time avoiding the limitations and suppression that are constructed by the structural factors. The capability in mobility may be one of the significant limitations; therefore, it leads to this study.

Third, the debates in migration studies tend to be inadequate in discussion on the mobility practices that are performed by migrants. Subsequently, I seek to raise the attention to look into the series of actions and perspective of an agency that is expressed through the mobility practices.

Finally, the structuration concept of Anthony Giddens can be employed to understand migration in order to transcend the perspective that adhered with the structure as a central determination of the flow of migrants. At the same time, it advocates not to forget the limitations of the migrants determined by the structure. The concept encourages me to look into the structure in an abstract form comprising several components. Such components play a role as rules and resources. Migrants, on the other hand, act on moving themselves as a response to a variety of rules and resources.

2.2 Infrastructure and the Migrant Worker Management Regime

I. Understanding of Infrastructures

It is complicated to capture the definitive definition of infrastructure. Approaching infrastructure, I found that the complexity appears both in ontology and methodology. One basic reason is that infrastructures are situated in various forms. For example, infrastructure can be determined as visible material forms, such as road, dam, and pipeline. Also, they may refer to various extended systems such as sewage systems, telecommunication systems, transportation systems, and database systems. Besides, infrastructure can refer to structures such as social relations which are dynamically configured as either engineered or non-engineered activities (Harvey et al., 2017).

In the article named *An Ethnography of Infrastructure*, Jakkrit Sangkhamanee (2017) defines infrastructure as the systems that are constructed for facilitating conveyance of the flow of people, goods, information, knowledge, ideas, and materials in order to connect and transcend the limitations of space and time. He suggests that infrastructures are constructed from complex and multiple ontologies, such as materiality, humanity, sociality, naturality, and supernaturality. The complex ontologies of infrastructures lead to the demonstration of infrastructures in various forms. Sangkhamanee concludes that there are at least four typologies of infrastructures as follow (see also *ibid.*, 2017).

- i. *Material infrastructure*, such as road, bridge, rail system
- ii. *Human infrastructure*, such as technician, expert, government officials
- iii. *Informatics infrastructure*, such as database, internet network, application, map, bureaucratic system, policy
- iv. *Cognitive infrastructure*, such as classification, measurement system, indicator, standard, assessment program

Besides, Harvey, Bruun and Morita (2017) introduce infrastructures in the article named *Introduction: Infrastructural Complications*. The authors demonstrate another characteristic of infrastructures that are non-engineered, unplanned, and emergent. Accordingly, infrastructures do not exist in a stable condition, but their

conditions are fragile and dynamic. Moreover, the operation of infrastructures, especially large-scale infrastructures, may readily lead to unintended consequences such as failure, breakdowns, dysfunctions, mishaps, and inefficiencies. The authors point out that the dynamic configurations of infrastructures stem from what they call “the recursive relation between the making of infrastructure and the shaping of society” (ibid, p.11).

Another interesting point, Harvey et al. (2017) emphasize that the configurations of infrastructures should not be perceived as the perspective of linear development. Since the emergence of infrastructures and their dynamics stem from multiple agents, who express their own interests and capacities, the configuration of infrastructures thus does not conform to the absolute power of anyone. It was multiple agents who engage and interact with infrastructure, leading towards the emergence of the dynamics of infrastructures out of such engagements and interactions. Consequently, it would be misleading to perceive that the operations or configurations of infrastructures have to conform with the intended, planned, or engineered functions.

The next complications of infrastructures are the methodology. Sangkhamanee (2017) also makes a conclusion from the book titled *Sorting Things Out* by Bowker and Star (1999) regarding the methodology to approach infrastructures. He demonstrates four aspects as follows.

First, in order to approach infrastructure, researchers should note that the infrastructures are ubiquitous. They are embedded in our mundane matters in everyday life. Also, infrastructures are not isolated, instead infrastructures demonstrate connectivity and reliance on other infrastructures.

Second, to study infrastructure, scholars should perceive the connectivity, correlation, and integration of materiality and texture to shape infrastructures and operate their functions. Infrastructure consists of both material and non-material textures, such as standard, classification, selection, enforcement. Therefore, a scholar should understand the correlation whether they are reinforcing, complementary, conflict, or collaboration.

Third, infrastructure should not be perceived as a fixed condition of a static figure. Approaching infrastructure through the intersection of time over historical

period, researchers may encounter the dynamics of infrastructures that differently appear from time to time. Accordingly, he suggests perceiving such dynamics and configurations of infrastructure rather than capturing a definite figure on the existence of infrastructure.

Fourth, the study of infrastructure should tackle the practical politics that are embedded within infrastructures. Sangkhamanee offers to pay attention to standardized systems and classification as the technology of power as well as consequences of power relations. On the one hand, the politics among multiple agents are expressed in selection, negotiation, exclusion, and partnership on the construction and configuration of infrastructures. On the other hand, the politics of infrastructures are also reflected in the articulation of infrastructure within society. Determining the visibility and invisibility, one will perceive that some parts of infrastructures are publicly exhibited while other parts are hidden or covered. Accordingly, the politics of infrastructure can be reflected through the selection of revealing, emphasizing, or hiding some components of infrastructure to communicate with society.

II. The Studies of Migration Infrastructure

In the context of international migration, Xiang and Lindquist (2014) deliver a key idea for approaching labour migration through an infrastructure concept. In their article named *Migration Infrastructure*, the authors perceive migration as a social process that needs to be allocated and created as a channel for mobility, rather than moving on its own. Also, Biao Xiang (2008) employs the term ‘transplant’ workers to refer to the phenomenon of labour transplantation. He refers to the labour migration in the context of skilled and unskilled migrant workers in Singapore, Japan and South Korea. Instead of perceiving the movement of migrant workers as the flow, he considers that the workers tend to be transplanted from the sending countries to the receiving countries. Accordingly, by paying attention to infrastructure, migratory scholars can extend their understanding rather than focusing on state policies, labour market, or migration social network. The authors develop the concept of migration infrastructure referring to “the systematically interlinked technologies, institutions, and actor that facilitate and condition mobility” (Xiang & Lindquist, 2014. p.122).

Xiang and Lindquist (2014) distinguish the components of migration infrastructure into five parts: commercial, regulatory, technological, humanitarian, social networks.

- i. *The regulatory infrastructure* includes state apparatus and procedures for documentation, licensing, training, and other purposes. The change of the regulatory infrastructure affects other components, such as the technology of biometric identities or migrants' data storage system. The regulatory infrastructure may perform in facilitating mobility as well as intensify control.
- ii. *The technological infrastructure* refers to communication and transportation. Information and communication technology not only revolutionise the communication of migrants but also play a crucial role in accessing job opportunities.
- iii. *The commercial infrastructure* includes recruitment agencies and intermediaries. A migration broker not only sells the opportunity for a migrant to facilitate the border-crossing movement but also deals with other players and other components of migration infrastructure to make the migration possible, such as documentation or health examination or pre-departure training.
- iv. *Humanitarian infrastructure* refers to the role of NGOs and international organisations. They play a role in supporting migration through the mission of the funders and advocacy network at the international level. The humanitarian discourse is circulated through this component. Also, NGOs participate in shaping the migration process by intervening in the policy process of the government.
- v. *The social infrastructure* refers to migrant networks. Xiang suggests that instead of describing how migration becomes self-sustaining through the network, the perspective should be inverted. The network should be perceived as a part of migration infrastructure. The question that is worth considering includes how such a network is shaping and reconfiguring the migration when it expresses itself together with other components.

Besides, the article by Xiang and Lindquist (2014) also emphasizes that migration infrastructure in the receiving countries tend to enervate the negotiation power of low-skilled migrant workers. Such infrastructures “confines migrants to employers, prevents settlements, and enforces return” (ibid, p.124).

The article named *Migration Infrastructures and the Production of Migrant Mobility* by Weiqiang Lin et al. (2017) put forward the critical argument on migration infrastructures. They draw attention to various kinds of infrastructures in shaping mobility and immobility of migrants in East and Southeast Asia. They unpack migration infrastructures into various forms, including documentary systems, state and non-state apparatuses, migrant services, and facilities. For example, the regime of legitimate not only plays a role as infrastructure but also being formulated through assemblages of infrastructures. Their functions are expressed in producing different migrancies and various migrant categories. Also, the authors apply logic of the politics of infrastructures to look into international migration contexts, such as the differential access to resources, equity, justice, and multiple interests in constructing infrastructure. The authors offer to consider mobility as a resource and opportunity while the regimes, structures, as well as regulatory bodies unevenly result in the movement of different groups of people.

Accordingly, to apply the concept of mobility infrastructure with this study, I pay attention to three components, including regulation, brokers, and social networks. Also, I perceive these three components as mobility infrastructure in the migrant worker management regime in Thailand. It leads to my research question of how the migrant worker management regime has played a role as infrastructure in shaping the mobility of migrant workers from Thailand’s neighbouring countries.

III. The Migrant Worker Management Regime in Thailand

Rather than approaching the migrant worker management regime as infrastructure, in a Thailand context, migratory scholars usually approach the regime with a structuralism perspective. However, while I am exploring the studies regarding the state policy for administering migrant workers in Thailand, I tend to perceive the coherency of the studies in respect to the development of the large-scale

infrastructures. The studies reveal the characteristics of the regime as infrastructures for mobilizing the flow of migrant workers across the time and space dimension. According to the following section, I conclude three studies that provide robust arguments on the migrant worker management regime in Thailand.

The paper titled *Governing by Paper: Bureaucratic Documents and the Politics of "Alien" Identification at the Border* by Pinkaew Laungaramsri (2017) well demonstrates the technology of power for governing the non-citizen population. The author portrays the dynamic of the technology relying on the inconsistent rationale of the Thai state. She argues that two different kinds of rationales, namely national security and economic-driven, have been erratically implemented from the pre-modern to modern era. The technology of power, called the documentation of individual identity, is occupied through the configuration and incorporation of political-based and market-based regulation. The emergence of the chaotic document regime became the complex apparatus crafting differential citizenship as well as creating the space of negotiation in the border area and leading to the flourishing of the informal economy.

According to her paper, in the pre-modern era, the state did not pay attention to the workers' profile or the loyalty of the population. Ethnic differences are not as significant as the availability of the workforce. The state exerted its control over the labour forces by marking people's bodies with tattoos combined with recording them in the state documents. Shifting to the Cold War period, the logic of governing the population changed from exploiting the labour force towards citizen control. The Thai state sought to develop the idea of citizenship and distinguish the non-citizen population from the state citizen. Several mechanisms have been produced during this period. For example, there was legislation on nationalisation to integrate different nationalities and convert them into Thai, such as allowing Chinese immigrants to acquire Thai nationality if they meet the state requirements. The law on nationality had been legislated to determine the nationality of the population. The Immigration Act (B.E.2470) has been enforced since 1927. The identification documents were developed for Thai and non-Thai people. It is worth emphasizing that, during that period, the political logic is co-presented with the market-based logic on governing the population in the Thai state. In the late 1980s onwards, the collision between

political-based and market-based logic seems to be noticeable. On the one hand, the emerging of neoliberalism put forward the mechanism towards categorising the flow of immigrants as an economic migrant. On the other hand, the Thai state remains to strictly control the non-citizen population. As a result, while the Thai state was exploiting labour-power from immigrants as cheap labour, the intricate documentation system has been widely developed through various types of identification cards. Such governing technology exercises its power by limiting the rights of the workers, such as limiting mobility for both physical and social mobility and limiting permission to stay depending on the employer and working status.

Another robust argument regarding the regime for controlling immigrant and migrant workers in a Thailand context is developed by Pitch Pongsawat (2007) in his PhD dissertation titled *Border Partial Citizenship Border Towns, and Thai-Myanmar Cross-Border Development: Case Studies at the Thai Border Towns*. He emphasises the structural factors that construct and reconstruct immigrants to be cheap labour for the sake of nurturing the wealth accumulation process in the Thai state, a particular area, and some business sectors. He offers an idea of border partial citizenship regimes that play a crucial role in controlling and maintaining the labour process as well as stabilising and securing the wealth accumulation process. The border partial citizenship regimes consist of two systems. One system is the minority immigrant system which classifies ethnic minority into 16 types. Another system is the registered illegal migrant worker system which is employed with migrant populations from Myanmar, Lao PDR, and Cambodia in order to categorize them as low-skilled or unskilled cheap workers. Pitch Pongsawat paid attention to the operation of such systems over the border areas. Two border areas which include Mae Sot, Tak and Mae Sai, Chiang Rai were presented in his study. He argues that the operation of the regime in association with everyday practice in those areas, such as law enforcement, practices of the state officers, and practices of the employers, constructs the border area as a confined space. The border areas in his study, thus, become a strong mechanism to exert control over the body of immigrants to intensify the effectiveness of exploitative accumulation in the areas as well as supporting the export-oriented production at large.

Later the emergence of international cooperation on dealing with the flow of international migration and irregular migration leads to the development of an international process on labour employment. Thailand and its neighbouring countries' government, namely Laos PDR, Cambodia, and Myanmar, signed the Memorandum of Understanding on cooperation in the employment of workers during 2003 – 2004. The MOU generates the migrant workers employment system which become one of the main schemes on administrating the flow of migrant workers. The paper titled *The Study of Thai-Laos' Memorandum of Understanding on Employment Cooperation Implementation for Employing Laotian Workers from Salavahn Province to Thailand* by Preuk Taotawin and Sutee Satrakom (2013) presents the structuralism perspective in analysing the migrant worker management regime. By demonstrating a distinct approach from Laungaramsri (2017) and Pongsawat (2007), Taotawin and Satrakom (2013) apply the concept of the regulation under neoliberalism to analyse the process of labour import under the MOU. They point out three fundamental ideas shaping the MOU process, namely the concept of regulating international labour migration, the concept of supporting the free flow of labour migrants, and the labour protection concept. The MOUs on labour migration between Thailand and neighbouring countries lead to the development of regulations and practices of the transnational labour recruitment process. For example, the MOUs have established the role of employer and authorised agency, the regulation on working, staying, and returning to the origin country when the employment period has been completed and the entitlement of labour rights. In this regard, the MOU process establishes the labour market, based on market-based mechanisms, for employment of migrant workers. At the same time, it authorises the role of the state on regulating the market as the rationale of regulation under neoliberalism. Consequently, the role of the state is not limited to exercising its power on the regulation but also plays a crucial role on facilitating the labour market where employers, brokers, and workers are interacting with each other frequently. To put it another way, while the role of the state is combined between the facilitator and enforcer, the MOU process becomes both a facilitating and regulating mechanism for containing the flow of labour migration.

However, the study of Taotawin and Satrakom (2013) and several other studies (ILO, 2015; Rukumnuaykit, 2009; Vasuprasat, 2008) reflect the

ineffectiveness of the MOU process. Such failures not only present through the ineffectiveness in facilitating the transnational recruitment process but also, they are overwhelmed with the loopholes of labour right protection. The process leads to unintended consequences, called space of negotiation. Instead of following the regulation, the players tend to utilise the rules in their best interests. As a result, the cost of migration is increased and left to the worker to carry such costs. The migrant workers, therefore, are surcharged with the higher cost, not only in terms of finances but also consumption of their time, while they don't benefit from the higher protection.

In brief, according to above studies, the authors approach the migrant worker management regime in various ways. Yet, I tend to perceive that the structuralism perspective is applied in those studies albeit the authors reveal different aspects in developing their arguments. Pinkeaw Laungaramsri (2017) paid attention to the operation of the technology of power which is shaped by the rationale of the government in controlling migrants. Pitch Pongsawat (2007) focuses his argument on the formation of the regime towards controlling surveillance together with creating disciplined workers. Preuk Taotawin and Sutee Satrakom (2013) study international mechanisms in establishing the labour market for migrant workers and the role of state in regulating the market. In this respect, I capture the coherency of those studies as examining the regime of Thailand in managing the flow of migrant workers from Thailand's neighbouring countries. In this study, the regime is called the migrant workers management regime. One of my arguments is that the regime reveals its characteristics as infrastructures. It plays a role on conveying the flow of migrant workers across the space and time dimension. The regime is assembled of various infrastructures, such as material infrastructures (i.e. various type of documents), human infrastructure (i.e. government officials, brokers, employers), informatics infrastructure (i.e. bureaucratic system, policy, employment process), cognitive infrastructure (i.e. classification, labour rights and standards). Also, the regime can be seen as large-scale infrastructures which demonstrate their unintended consequences, dysfunction, and inefficiency. Its configurations from time to time, also, reveal emergence of the technology as recursive relation and politics engagement by multiple agents. Finally, as the suggestion of Sangkhamanee (2017), infrastructures

should not be perceived as static figures or mundane backdrops. In Chapter III, I explore the historical dynamic of the configuration of the migrant worker management regime in order to portray it as infrastructures which mobilise the flow of migrant workers. The chapter will reveal how such a regime has been publicly exhibited and configured in the course of time.

IV. The Role of Brokers

The role of brokers can be perceived as another kind of infrastructure. Lindquist, Xiang, and Yeoh (2012) focus on the brokers in the migration process. They perceive brokers as infrastructure that make mobility possible. According to their article, titled *Opening the black box of migration: Brokers, the organization of transnational mobility and the changing political economy in Asia*, infrastructure means “the institutions, network and people that move migrants from one point to another.” In this regard, a broker has no fixed identity, but is present in various forms depending on time, place, and power. They may be presented in the form of government officials or other migrants. Yet, brokers are usually part of various networks.

The authors suggest paying attention to the ‘circular migration’ as an emerging trend in the Asia Pacific migration system. Under the system of circular migration, the migrants will be transplanted from the sending country to the receiving country and return when reaching the time-limited contracts. Such systems stem from the formalization of migration management. The regulated system of migration management centralizes the migration control to the government while fragmenting labour management to private actors. In this sense, the state seeks to ensure the protection for migrants; at the same time, migrant workers are formally transformed into temporary guest workers. The regulated system is operated by states and markets. Thus, unregulated systems that are run by the migrant network are no longer allowed to function. Since the systems are developed through the bureaucratic process and intricate system of paperwork, brokers are increasing their role as an intermediary not only in terms of navigating the bureaucratic process but also channelling the flow of information and capital.

Also, the authors emphasize that while the licensed private recruitment agencies are increasing in such contexts, it is important to capture the relationship between formal and informal brokers. Instead of distinguishing these brokers as a dichotomy, they should be perceived as a continuum. It should be noted that the formal agencies usually depend on unlicensed and informal brokers to utilize their social connections to recruit the labour in the villages (see also Lindquist (2017)).

Soimart Rungmanee et al. (2019) illustrates the labour mobility in Lao PDR. The authors apply the concept of Lindquist et al. (2012) on infrastructure of migration to analyse the role of brokers in mobilizing workers from elsewhere to the coffee plantations in Champasak, Lao PDR. Although the book does not demonstrate the role of broker in transnational labour mobility which involves various aspects in relation to the migrant worker management regime or the regime of controlling the non-citizen population. I found this book can contribute to this study since it well illustrates the structure of brokers. The authors distinguish labour brokers into three categories, namely primary broker, secondary brokers, and other agents.

- 1) The primary brokers are located in the same area as the workplace. They contract directly with the employers in terms of the number of the workers as well as the period to deliver the workers.
- 2) The secondary brokers contract with the primary brokers to deliver the workers. The secondary brokers are not responsible for the number and period for delivering the workers. This type of broker is also divided into three categories, including acquittance of the primary brokers, the officials, community leaders, and leaders of ethnic groups.
- 3) Other agents refer to the driver or any other related people who provide services for the workers to access the job in the workplace.

This paper portrays the vivid role of the brokers. The authors demonstrate that it is difficult to make the distinction between brokers and migrant social networks. The channel for accessing the job may be introduced by the worker's relatives, or community leaders in either institutional or non-institutional forms. However, such brokers are part of the system and chain to perform their function as a pathway that moves workers from one place to another.

However, according to Lindquist et al. (2012), the networks of brokers perform their extended function in the context of transnational labour migration. The brokers not only interact with employers or capitalists but also the bureaucratic system of the sending or receiving states. Inga Gruß (2017) also demonstrates the empirical evidence supporting this argument in the context of Myanmar migrant workers in Thailand. He found that brokers play several essential roles as mediators between Myanmar migrant workers and the bureaucracies of both Thailand and Myanmar. The roles, demonstrated in the article, include gatekeepers, facilitators, intermediators, navigators, and negotiators.

Functions of the brokers are also well documented in the book titled *Brokers and Labor Migration from Myanmar: A Case Study from Samut Sakorn* by Sompong Sakaew and Patima Tangpratchakoon (2009), the authors categorize the types of brokers by their functions. They catalogue up to 10 types of brokers in Samut Sakhon, including:

- 1) Agents smuggling workers, which can be separated into agents at the sending point, transit agents, and agents at the receiving end
- 2) Agents supplying workers to the factories
- 3) Agents negotiating with the police
- 4) Agents helping migrants with the documents
- 5) Repatriation agents
- 6) Agents helping with hospital referrals
- 7) Loan shark agents
- 8) Overseas money transfer agents
- 9) Sub-contractor agents
- 10) Human trafficking agents

Furthermore, the study of Sakaew and Tangpratchakoon (2009) elaborates that the brokers are not only Thais but also often have the same nationality as the workers. The Thai brokers usually provide the operations such as facilitating transportation, operating document processing, coordinating with the employer, and negotiating with the government officials. On the other hand, the brokers who have the same nationality as the migrants usually stay in Thailand such a long time that they know some influencer or have a relationship with the government officials. Such

a broker can send the workers to some factories or reach some employers, and they will charge the fee from the workers in return.

In addition, the study demonstrates the role of the subcontractor as a business which sends the worker to several factories or construction sites. The operation of the subcontractors can provide a comprehensive labour service to the employer and charge the management fee from the employer to pay the wage for the workers. The subcontractor will manage all document processing for the workers. Thus, employers do not have to be worried about the expiration date of various documents. Moreover, the subcontractor plays a crucial role in negotiating with the government officials when both workers and employers have a problem with the illegal status of the workers. The difference between being a subcontractor and the workers' agency is the status as an employer of the workers. Because the subcontractor is an employer of the workers, they have their control over the work while the agent does not have such authority.

V. Social Network

Apart from brokers, it is worth highlight the role of social network. As mentioned earlier, the definitive distinction between broker and social network remain elusive. However, several studies demonstrate the pivotal role of social network on facilitating migration and accessing job opportunities. In fact, the study about the role of social network on migration study usually echoes its role in helping the workers to access overseas employment (Chaisuparakul, 2015; Chantavanich et al., 2007; ILO, 2013, 2020; IOM, 2013, 2019; Mon, 2010; Verité, 2019). In other words, such study tends to perceive the job-seeking activity of migrant workers is taking place across the border from the country of origin to the destination country. The role of the social network, therefore, appears in support of such activities.

However, this study seeks a different perspective. Due to the fact that Thailand had faced the situation of being a destination for migrant workers for neighbouring countries for over 30 years. I argue that the perception of job-seeking activity should be separated from crossing border activity towards domestic mobility for acquiring employment. Therefore, it is worth investigating the role of the social

network following such a perspective. The interesting questions are what kind of role does the social network play in supporting migrants in acquiring a job? Also, how does the network affect the condition in the employment of the worker and the mobility of the workers?

One of the most influential studies about social networks is the study of weak ties and strong ties. Mark Granovetter (1983) explains that social ties can be demonstrated in two forms. Weak ties refer to loosened relationships or low-density relationships such as a network of acquaintances, friends of friends. On the other side, strong ties mean a strong social relationship, such as close friends and relatives. The network with strong ties will have a routine interaction or demonstrate a closer relationship than a weak ties network. The weak ties may be formed by a superficial relationship during some social activities such as attending the same meeting or sharing the same workplace or being introduced through a friend of a friend or friend of relatives.

Granovetter (1983) suggests that the network of weak ties allows information to be widely distributed further than strong ties networks. Moreover, individuals with few weak ties may be at a disadvantage in the labour market because they will have limited information from the distant part of the social system. Also, they tend to be limited to their own ideas and shared perspective with their close friends. Interestingly, he suggests that weak ties also play an effective role in obtaining job opportunities with higher status. However, weak ties of the low socioeconomic group tend to be ineffective in lifting the social status since the connection is usually made between friends or acquaintances that share the same social status. Another interesting argument of Granovetter (1983) is that the individuals who search for employment through strong ties usually have a longer unemployment period than those who use weak ties for seeking a job. However, considering the relationship between weak ties and the level of wages, Bridges and Villemez (1986) and James D. Montgomery (1992) argue that there is no correlation between using weak ties for employment and the level of wage-earning by such employment.

Besides, considering the form of the social network of migrant workers in Thailand, Adisorn Kerdmongkol (2011) demonstrates the social networks of Pa-O migrant workers in Bangkok. Pa-O is one of the ethnic groups in Myanmar. The study

reveals that the community of Pa-O migrant workers in Thailand is not tied to the geographic area, but it is formed by at least three kinds of shared values, including friend and kinship relationship, the ethnic characteristics, and migrant workers experiences. The social relationship of the Pa-O not only help in performing everyday life in the foreign country and interacting with the governing mechanism of the Thai state but also demonstrate the channel for negotiating with the employer for better employment conditions as well as acquiring new job opportunities.

The study of Aung Zaw (2008) demonstrates the social network of migrant workers from Myanmar along the Thai-Myanmar border in Mae Sot district, Tak province. The study discloses that there are more than ten organizations in the area. Several organizations are supported by international non-government organizations and collaborate with local non-government organizations to provide various kind of assistance to migrant workers, such as health service, accessing justice, labour rights, welfare, and education. Besides, there are even more organizations formed by ethnic relationships.

In conclusion, this section attempts to approach the migrant worker management regime with the perspective of infrastructure. It seeks to build my operational concept up from structuration concept in the earlier part. According to structuration concept, while structure is articulated as rules and resources, the agencies operate their series of actions according to their intention and capacity which relies on the knowledge shaping by the structure. Then, while performing such activities, the agencies also reflective monitor their operations. The dynamic process leads to the production and reproduction of the social system across time and space.

In this respect, the structuration concept demonstrates great abstract ideas regarding the construction of the social system. I found that the perspective of the infrastructure portrays a sensible approach to fill in the abstract ideas of the structuration concept. Although infrastructures illustrate their complications, it fits to apply with the context of international labour migration. In such a context, human mobility has been explored in various fashions. Yet, it remains inadequate to examine infrastructures that contain such mobilities.

Infrastructures can appear in several forms, considering the migrant worker management regime, identification document, international employment mechanism,

policies, regulations, brokers, and social networks, for instance. Yet, Jakkrit Sangkhamanee (2017) suggests that the study of infrastructure should not put all the actor-network into descriptive elaboration. The study should illustrate the relationships that are built to perform their functions. However, I predict that infrastructures appear once they have interacted with people's actions, through either physical, verbal, or cognitive interactions. Consequently, to examine the operation of infrastructures, I seek to approach them through human practices. Since I pay attention to mobility, it leads to the next step of my conceptual framework. I employ mobility turn, especially the politics of mobility, for examining such practices. I put forward the conceptual discussion in the next section.

2.3 The Studies of Mobility in Migration

I. The New Mobility Turn

It was around the late 1990s. The mobility turn concept was newly emerging in social sciences. Sheller and Urry (2006) captured the growing trend of academic scholars, which study the flow of not only humans but also stuff, goods, images, information, and feelings. The article, named the new mobility paradigm, was published in 2006. Various emerging trends of mobility study across disciplines, ranging from geography, anthropology, cultural studies, tourism, transportation studies, science and technology studies, to migrant studies and sociology, more or less, have contributed to shaping the new paradigm of mobility study.

According to sedentarism view, fixity, static, boundary, and rootedness are presented as an ordinary or default status. The new paradigm seeks to develop arguments against the traditional idea of social science that is based on a sedentarism perspective. Also, mobility turns scholars criticise the nomadism idea that celebrates the immense flow in the modern world and takes the fixed or mooring infrastructure for granted. The new mobility paradigm does not deny the existence of boundary or fixity or mooring status; however, the arguments are constructed around the connection between space. To put it another way, the new paradigm argues that there is an existence of the connections between the area, so there is no such space that

should be perceived as an isolated island. On the other hand, the flow or movement cannot happen without fixed infrastructure. The new paradigm also suggests paying attention to the infrastructure that makes the mobility possible.

II. Mobility Infrastructure

Sheller (2014) suggests that mobility study should not only pay attention to the privilege of the flow, movement, or speed. Mobility scholars should investigate, monitor and explore the discourse of power and practice as well as the infrastructure in order to understand their impact whether they lead to mobile or mooring status. Mobility approaches, therefore, become the way to investigate the movement. The concept keeps questioning who and what makes a move occur, how the move performs, what situation the move is expressed in, what happens in-between the move, and what the move passes or flows into. Likewise, the immobility should also be explored through a similar approach. The questions that are worth considering include how the mobility and immobility are constructed, how do they perform, how they were maintained, how they resist, are remediated, and transduced. Also, their practices, rhythm, and representation should be explored. Urry (2007) also suggests paying attention to the immobility infrastructure. He points out that the complexity of mobility system stems from fixities or moorings that facilitate the flow. Sessen (2002) states that “There is no linear increase in fluidity without an extensive system of immobility.” Graham and Marvin (2001) point out the massive infrastructure that organises the physical movement of people and goods. Below is the picture of the submarine cable and the submarine cable map. The map echoes the theory that even through the flow of information through wireless technology today, it needs to be supported by the massive immobility infrastructure.

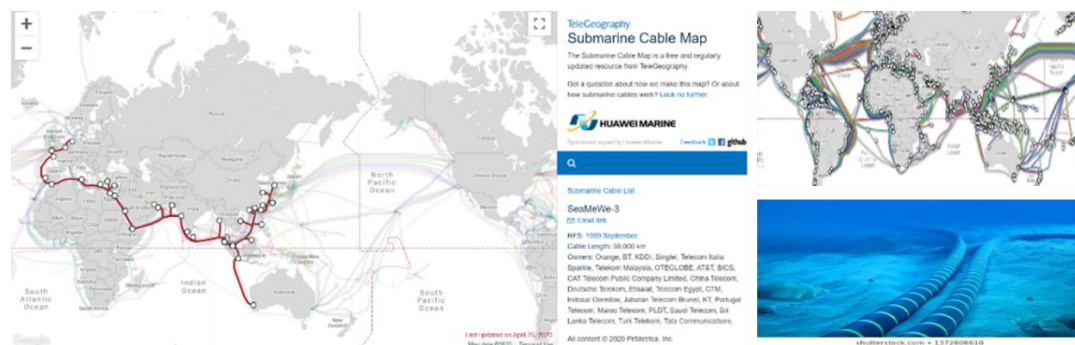


Figure 5 Telegeography's Map of Subsea Cables

Source: <https://www.submarinecablemap.com/#/submarine-cable/seamewe-3>

Paying attention to the study on mobility and immobility leads to the perspective of the mobility system. The system may increase the potential of mobility to some while creating the limitation to others. The analysis of human mobilities analysis, therefore, involves examining the consequences of actions or existence of humans across time and space.

III. The Politics of Mobility

Cresswell (2006) points out the differences between movement and mobility. He describes the movement from A to B as the diagram below.

A -----> B

Given that A and B are locations or places, the migration studies often explain that people migrate from A to B because of the distinction between two areas. Cresswell argues that such a perspective pays less attention to what happens during the move. He suggests paying attention to the 'in-between space' of A and B, where the dotted line is set across. The mobility turn seeks to turn that attention back to the content that is contained within the expression of mobility. Cresswell distinguishes mobility from movement by referring to the meaning of location and place. He argues that "if the movement is the dynamic equivalent of location, then mobility is the

dynamic equivalent of place” (Cresswell, 2006, p. 3). Geographers refer space to the locations that are immersed with meaning and power. Likewise, the place is referred to as the centre of meaning. A human can attach value to the place as well as fighting over it, include or exclude others to it, put the feeling over it. On the other hand, we cannot express the same with a location.

Cresswell (2010) put forward the consideration over mobility to the concept of politics of mobility. He suggests paying attention to three aspects of mobility, including physical movement, representation, and practice.

Physical movement (a corporal movement (Urry, 2007)) refers to the production of mobility. Consider the distance that is made by movement, or it can refer to the output of the movement, for instance.

Representations of mobility are referred to by at least three aspects, including the meaning, purpose, and reflection of the mobility. For example, a student that moves in pursuit of education would have different representation from the refugee who flees from prosecution. The mobility presents not only its meaning but also the purpose, such as education, refuge, work, travel, as well as the reflections that express through the mobility, such as freedom, modernity etc.

Practice refers to the act of movement or the experience that occurs by mobility such as walking, wandering, running, dancing, or driving. Such practices reflect at least three aspects, including velocity, experiences, and rhythm. It is worth noting that the practice of mobility usually conforms to the representations that surround them.

According to the politics of mobility concept, Cresswell presents six questions to explore the components of mobility. Such questions can be referred to as six-components, including motive, velocity, route, experiences, rhythm, and friction.

The first question is why a person or thing moves. The question not only leads to examine the motivation of the move but also relates to determining whether the move is a voluntary or involuntary movement. Through examining the motivation, the expression of mobility can be linked to its representation and meaning as well.

Secondly, how fast does a person move? It is worth noting that the idea of globalisation presents the privilege of the flow and speed of movement. Virilio (1986) states that “speed is at the heart of globalisation”. Fast movement tends to represent

the exclusiveness in mobility as well as reflecting the higher status and power. Consider the fast lane or channel that needs to trade with extra cost or limit to the privilege, for instance. However, it is worth considering that slowly does not always attach to the lower social status, such as the slow-life lifestyle, or the privilege to spend time instead of running from job to job to make ends meet. In order to put forward the argument relating to the speed of movement, the crucial question is how the social status or power is expressed through the capacity or privilege to spend time on the move.

The third component is the rhythm of movement. Rhythm presents the pattern of mobility, how it moves, pauses, stops and moves again. Some types of motion can lead to suspicion or be perceived as unusual movements, such as sudden travel. On the other hand, some consistent rhythmic movements may be perceived as unharmed or an ordinary movement, such as commuting to work, and mobility in everyday life. Paying attention to rhythm helps us to expand our perception to be more comprehensive. Consider that shooting an image could only capture the action at a particular time and space, rhythm, thus, pay attention to the flow of movement presented by the mobility.

The fourth question is what route it takes. In my perception, the route is the centre of mobility. The route represents the infrastructure that makes the mobility possible. It represents the space where mobility takes place. Therefore, it is worth questioning the way that route is constructed, how it operates, how it connects or relates to other components of the mobility.

The fifth question is how it feels. The examination of the experiences of mobility can present the power relations that is expressed through mobility. The study of Gruß (2017) well documents the experiences of migrant workers during the documentation process. The migrants are overwhelmed with frustration, and anger, and discouraged by the documentation process, during which they have to obey the instructions of the broker and government officials. Supatsak (2014) also portrays the feelings of migrants about the documents. For example, some feel insecure in public if they do not have the proper identification card or work permit. Once they receive the legal document, they express their confidence in travelling. Therefore, it is worth

examining the crucial components that unlock the feeling of the worker to perform their move and how it affects mobility.

Last but not least, Cresswell explores the act of stopping. He considers the question of when and how the mobility stops. On the one hand, stop may represent the limitation of mobility, or it may be employed as a strategy in movement. Supatsak (2014) demonstrates that migrants choose to stop in some areas in order to accumulate resources until they have enough for the documentation process. They believe that after passing the process, it will allow them to mobile both in terms of upward social mobility and physical mobility. Hall (2012) presents the cross-border process of migrant workers. He found that they have to stop in some place and wait until there is a broker or employer who comes to choose and recruit them to work. Both pieces of literature present the different perception of stop. The former stop is presented as a strategy, while the latter stop is linked to the power relations between migrants and other players. On the other hand, it is worth noting that movement is a spatialisation of time and temporalisation of space (Cresswell, 2006). The movement, thus, is constructed by the flow of stop and move across time and space. Therefore, in order to examine the practice of mobility, stop also needs to be explored as well.

In this study, I employ the politics of mobility concept in order to explore the mobility practices of migrant workers from Myanmar in Thailand. The concept is applied to examine the mobility practices in three aspects including the physical movement, representation, and practice. I focus on the mobility practices of Myanmar migrant workers as a representation of migrant workers at large. Also, the representation of migrant worker that I pay attention to is the representation of migrant workers under the low-skilled migrant worker management regime of Thailand. I perceive that such a regime has constructed the representation of low-skilled migrant worker from Thailand's neighbouring countries. As Cresswell emphasizes, "sometimes our mobile practices conform to the representations that surround them" (Cresswell, p.20). and "the representation of movement can certainly impact on the experience of its practice" (Ibid. p.22). Furthermore, I also borrow the question to examine the practice of mobility from Cresswell (2010). The questions have several elements to explore, including the routes that were taken, the act of the

movement such as their rhythm, stop and duration, and the perceptions such as motivations and experiences.

Accordingly, I aim to understand the politics of mobility that are expressed through the mobility practices in terms of their physical movement, representation, and practice. The focus of my study covers three aspects of mobility practices of Myanmar migrant workers in Thailand: first, the cross-border movement and the mobility with documentation system, second, the job mobility over the mobility infrastructure, and third, mobility outcomes particularly in social mobility. This part is presented in the chapter four.

2.4 Summary

This study aims to study the mobility practices of migrant workers from Thailand's neighbouring countries particularly Myanmar migrant workers. I apply the perspective of Gidden (1984) developing the perception of the duality of the structure. I consider that the structure expresses itself as rules and resources in shaping human actions. Also, humans correspondingly employ such rules and resources to perform their actions. Consequently, the structure is not a static figure pressing its operation toward humans. Likewise, humans are not a surrender subject that is completely controlled by the structure. I perceive migrant workers as an agency that own their intention and capacity of performing mobility. Accordingly, I seek to explore the interactions between the practice of mobility and the structural components in the structure.

In the labour migration context in Thailand, the migrant worker management regime is expressed as infrastructures shaping the mobility of migrant workers, especially the worker from Thailand's neighbouring countries, namely Myanmar, Laos PDR, and Cambodia. The regime has impressed the representation of low-skilled migrant workers as well as harnessing their mobility. However, the regime portrays its dynamic through the configuration of the policies and regulations. I am interested in exploring such configurations and their impact on shaping labour migration in Thailand. I apply the concept of infrastructure (Harvey et al., 2016; Sangkhamanee, 2017; Xiang & Lindquist, 2014) to emphasize the characteristic of the

migrant worker management regime as infrastructures. Furthermore, the concept of migration infrastructure is developed under the concept of the new mobility paradigm. The mobility concept not only pays attention to the flow of movements but also the mobility infrastructure that makes the mobility possible (Sheller & Urry, 2006). The concept constructs the perspective that every mobility needs to have the infrastructure for containing the moves. Accordingly, I aim to examine how the regime performs their role as mobility infrastructure to accommodate the mobility practices of migrant workers in Thailand.

Regarding the mobility practices, I apply the politics of mobility (Cresswell, 2010) to examine the mobility of Myanmar migrant workers in Thailand. I pay attention to three aspects of mobility practice: first, the cross-border movement and the mobility with documentation system, second, the job mobility, and third, mobility outcomes particularly in social mobility.

In conclusion, the study integrates all above concepts into the operational conceptual framework to approach the labour market of migrant workers. I pay attention to the mobility practices of Myanmar migrant workers to examine the mobility infrastructures. I conceive the migrant worker management regime as an exhibition of infrastructure shaping international labour migration of migrant workers from Thailand's neighbouring countries. Lastly, I argue that the politics of mobility and dynamic configuration of infrastructures lead to structuration of the labour market in which migrant workers are employed in Thailand. The study argues the perspective of development paradigm that is adhered to with the linear development of either functionalism or structuralism. The study attempts to demonstrate that the mobility of social system is not a straightforward process. The evolution of the social system takes shape through the contestation and negotiation of social actors in exercising their power over space and time. The research underlines the power relations embedded in the social practices and structure which somehow result in the distortion of the power relations of people in the society leading to undermine power to some and amplify it to others.

CHAPTER III

THE MIGRANT WORKER MANAGEMENT REGIME AND MOBILITY INFRASTRUCTURE

In this chapter, I illustrate the landscape of the migrant worker management regime in Thailand. I draw upon the concept of infrastructure to construct the perspective of the regime as assemblages of infrastructures that mobilise the flow of migrant workers across the limitations of time and space (Bowker & Star, 2000; Harvey et al., 2016; Sangkhamanee, 2017). I aim to illustrate how the regime has been configured and exhibited to shape the mobility of migrant workers in Thailand. The first section in this chapter presents an overview of migrant workers in Thailand in order to show the current classification and related figures. Then, I pay attention to the configuration and expression of the regime over the historical timeline from 1992 to 2020. The data demonstrate how the regime is dynamic and appears differently from time to time. Finally, I focus on two particular dimensions of the mobility infrastructure (Lin et al., 2017; Lindquist, 2017; Sheller & Urry, 2006; Xiang & Lindquist, 2014), namely the regulations and brokers, since the recent adaptation of the regime directly configures such dimensions. This section is presented to construct a foundation for the understanding of the migrant worker management regime in Thailand. It will connect to the next chapter, in which I examine how workers move around such infrastructure as a mobile platform.

3.1 Overview: Migrant Worker Snapshot

According to the data from the Office of Foreign Workers Administration, the total number of documented migrant workers in Thailand, as of March 2020, was 2,818,481. Compared to the entire labour force in the country, which is 37 million, foreign workers are approximately 7 per cent. There are 2,613,304 low-skilled migrant workers, representing 92 per cent of all documented migrant workers. This study focuses on this population, the so-called low-skilled migrant workers from

neighbouring countries. Currently, this population group is placed into four categories, as follows:

- 1) Workers who have been documented through the nationality verification process or NV workers.
- 2) Registered workers who have been granted permission by the cabinet resolution.
- 3) Workers who have been recruited or employed through the employment process under an MOU between Thailand and its neighbouring countries, so-called MOU workers.
- 4) Seasonal workers in the border areas.

Table 2 Number of Documented Migrant Workers

Type of Documented Migrant workers	Number (persons)
Permanent Permitted Migrant Workers	241
Ethnic Minority Workers	44,800
Skilled Migrant Workers <ul style="list-style-type: none"> • 121,465 general workers (investors, skilled workers, technicians) • 46,711 investment promotion group (BOI) 	168,176
Low-skilled Migrant Workers <ul style="list-style-type: none"> • 648,190 nationality verification workers • 816 562 registered workers (granted permission by cabinet resolutions on 16 January and 27 March 2018) • 1,086,494 MOU workers • 50,018 border/seasonal workers 	2,613,304

Source: MOL as of March 2020

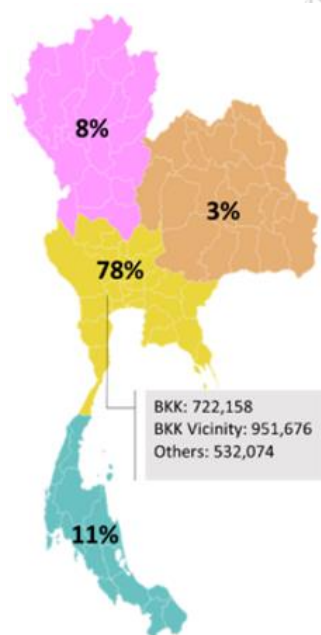
Considering nationality, migrant workers from Myanmar represent 60 per cent of all registered migrant workers. Twenty-two per cent are Cambodian, and 10 per cent migrated from Laos PDR. The below table is the number of each nationality categorised by the type of registration documented as of March 2020. Interestingly, the number of NV workers, domestic registration workers, and MOU workers have a similar proportion.

Table 3 Number of Migrant Workers by Type of Document and Nationality

Type of Documented Workers	Nationality		
	Myanmar	Laos	Cambodia
NV Workers	558,008	41,722	48,460
NV (Cabinet Resolution)	557,551	43,021	215,990
MOU Workers	558,124	204,962	323,314
Border & Seasonal Workers	20,497	-	29,521
Total	1,694,180	289,705	617,285

Source: MOL as of 2020

Regarding the area distribution, 78 per cent are concentrated in the central area of Thailand. In Bangkok and its vicinity, there are 1,673,834 migrant workers, or 59 per cent of the migrant workers throughout the country. The ten highest concentrations of migrant workers are in Bangkok, Samut Sakhon, Nakhon Pathom, Pathum Thani, Nonthaburi, Samut Prakan, Chon Buri, Surat Thani, Chiang Mai, Phuket. In terms of the employment sector, most workers are employed in construction, agriculture and agricultural processing production, and the service sector.



The Most Popular Industry by Type of Documented Workers	
NV	
Construction	103,700
Service	71,513
Producing or Selling Food and Drink	56,765
NV cabinet	
Construction	197,613
Agriculture	134,514
Producing or Selling Food and Drink	71,609
MOU	
Construction	234,422
Agricultural production	134,018
Service	101,849
Border and Seasonal Workers	
Agriculture	15,056
Producing or Selling Clothes	11,291
Construction	6,432

Source: MOL as of March 2020

Figure 6 Distribution of Migrant Workers by Area and Industry

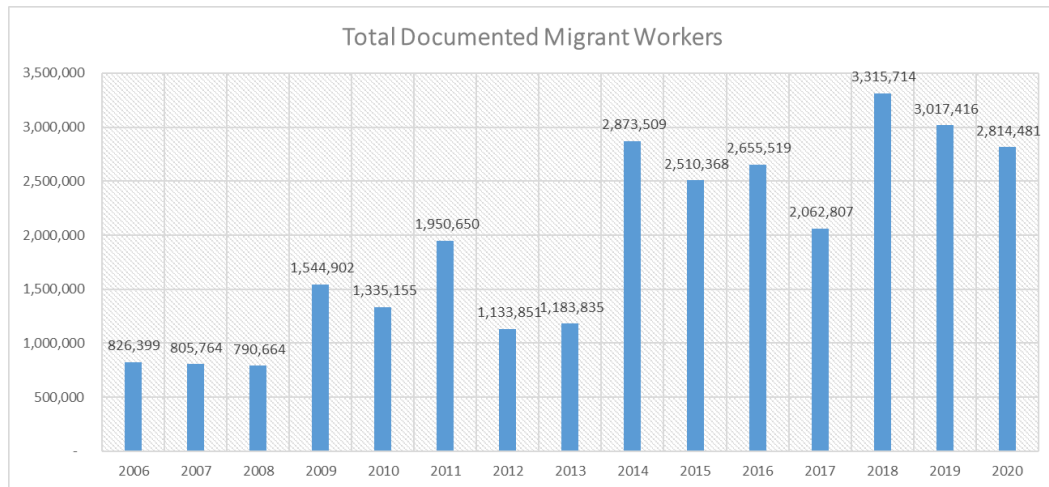


Figure 7 Number of Migrant Workers from 2006 to 2020

Source: Foreign Workers Administration Office, MOL

Thailand has been one of the major destinations of migrants from neighbouring countries for more than thirty years. Interestingly, considering the statistical data of the migrant population, the actual number remains unclear. Only the estimated numbers were presented in several studies. The study of Srivarathonbul (2010) estimates that the number of migrant workers in Thailand might reach 5 million. For more than two decades, the Thai government has sought to manage the flow of migrant workers from the neighbouring countries. Although the government has managed to increase the number of registered migrant workers, there is a high possibility that the number of unregistered migrants remains high. According to the figures, the data indicates the number of migrant workers who have been granted permission through various channels each year. Due to the complexity of the registration regimes, the presented figure may not disclose the actual number of migrant workers. However, the figure well reflects the dynamics of the migrant worker management regime that has been inconsistently enforced in each period.

My observation below is the numeric data of migrant workers. I have categorised the number by different permission channels, including domestic registration, announced by the cabinet resolution, the nationality verification process, employment under the MOU process, and permission for workers in the border area as seasonal workers. The inconsistency of the migrant worker management policy is

reflected in the fluctuations of the figures. Since the cabinet resolution is an immediate mechanism for dealing with the status problem, such as irregular migrants, undocumented migrants, and the expiration of documents of migrant workers, the data disclosed by the cabinet resolution usually fluctuates. In order to understand such fluctuations, the dynamics of the policy implementation are presented in the next section.

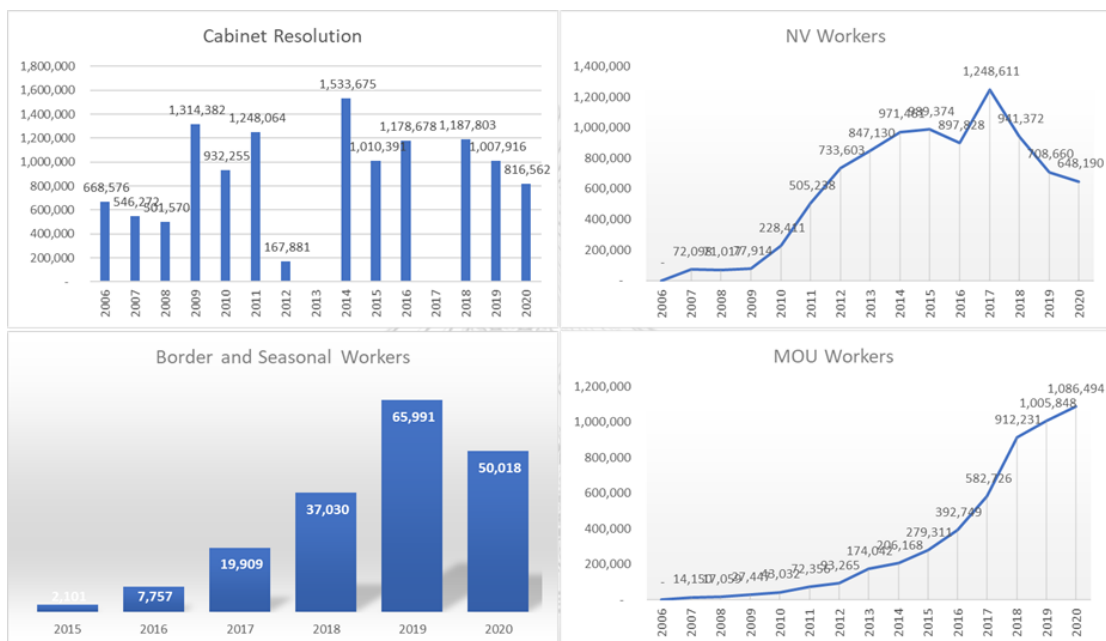


Figure 8 Number of Migrant Workers by Categories from 2006 to 2020

Source: Foreign Workers Administration Office, MOL

Regarding the registration process, several government agencies are involved with the registration of migrant workers, including:

- Ministry of Interior
 - o The Department of Provincial Administration (DOPA) is responsible for establishing the profile of the foreigners, taking photographs and fingerprints, issuing documents for alien registration (Tor Ror 38/1). Previously, the process was handled at the district office, sub-district, or local registration office. Later, the registration became more proactive. Thus, there are

DOPA officials working with other relevant officials to operate the process at One Stop Service centres.

- Ministry of Labour
 - o The Department of Employment (DOE), through the Provincial Employment Office (PEO) considers quotas for hiring migrant workers, which are requested by employers. The DOE and PEO are responsible for granting work permit to migrant workers.
- Ministry of Public Health
 - o The ministry is responsible for overseeing the health examinations and health insurance for the foreigners who desire to work.
- Immigration office, Royal Thai Police
 - o Immigration officers have the authority to intercept, suppress, and arrest illegal migrant workers, as well as employers or a person who provides residences for illegal migrants. The immigration office is also responsible for providing the visa stamps granting residency in the country.

3.2 Configuration of the Migrant Worker Management Regime in Thailand

I. Limiting the Flow and Border Controls (1992 – 2000)

The period from 1992 to 2000 can be considered as the starting period for when the migrant worker management policy was formulated. The Ministry of Interior and the National Security Council (NSC) played the leading role in policy formulation. Concerns over national security seemed to be the main priority during this period. Srivarathonbul (2010) pointed out that the policy in this start era expressed the fear that migrant workers were threats to national security, which included threatening domestic security, being a long-term social burden, passing on communicable diseases, and encroaching on the domestic labour market. Five registrations were implemented during this period.

Beginning with the registration in 1992, only Myanmar workers in nine border provinces were granted permission for four years in limited sectors of employment. Nevertheless, due to the pressure from the fishing sector, the registration was extended to 22 coastal provinces in the next year. In 1996, the registration was repeated with an extended area of 43 provinces and eight industries. The registered migrants from Myanmar, Cambodia, and Laos PDR were granted a 2-year work permit, but, in the next year, the Thai economy was crushed by the financial crisis. The increasing unemployment rate of Thai workers initially pressured the government into refusing the extension of work permits for migrants. However, pressured by the business sector, the government repeated the worker registration in 1998 while limiting the overall quota of migrant workers to 106,684. The workers were granted 1-year permissions. Such registrations took place in 54 provinces. The operation was repeated in the next two years, but it reduced the number of areas to 37 provinces (Chantavanich et al., 2007).

In conclusion, the implementation of the migrant worker management policy during this beginning period articulated the main agenda of controlling the flow of the migrant population. Several restrictions were enforced on migrants, including the permission area, type of work and residential duration as well as the total number of workers that were allowed to work in the country. However, it is worth noting that the number of registered migrant workers did not reflect the actual figure. The government could not manage to limit the flow of migrants from neighbouring countries. Additionally, since migrant workers were perceived as a threat to national security, deportation seemed to be the primary goal of the government during the period. While several restrictions remained in the following period, some limitations were unlocked, such as area restrictions. The changing of the government, together with an intervention by international players seemed to trigger a shift in the perception of migrant workers, reflected in the implementation of a migrant worker management policy in the following period.

II. Emergence of Economic Migrants (2001 – 2013)

2001 – 2003

The migrant worker management policy markedly changed during 2001 – 2003. Previously, the Thai government would estimate the demand for migrant workers to determine the total quota allowed before allowing registration of workers, and in addition the previous policy had operated only within limited areas. The employment of migrant workers was not allowed outside of the areas granted government permission. The policy began to change in 2001 when the government was under the administration of Mr Thaksin Shinawatra. The government wanted to know the actual number of migrant workers in the country. The cabinet, therefore, agreed to launch a registration program for all migrant workers living in the country by employing section 17 of the Immigration Act to grant amnesty to smuggled migrants from Myanmar, Laos PDR and Cambodia who had migrated in pursuit of employment. The workers were allowed to work in every province of Thailand and two additional employment sectors, namely manufacturing and domestic workers, to meet the higher demand for hiring migrant workers. The number of migrant workers reached 568,289 in the amnesty registration in 2001, which was the highest number since 1992.

The registration of migrant workers in 2001 was the first time that the Thai government had opened up a systematic registration of smuggled migrant workers in the whole employment system, known as amnesty registration. Such a method was occasionally implemented in the following period, such as in 2004, 2009, and 2011. During the period that the amnesty registration was not being implemented, the government would open the registration for renewing worker documents in order to extend permission for living and working in the country for a specified period.

The amnesty registration in 2001 granted a one-year permission for migrant workers. The workers had to report annually to the Department of Employment (DOE) to renew their work permit. However, the number of workers who showed up in the following years, 2002 and 2003, decreased to 409,339 and 288,780, respectively (Chantavanich et al., 2007). As a result, the government operated another amnesty registration in 2004.

This period also marked progress on cooperation in international labour management. The Thai government hosted the international symposium on migration, co-organised by the International Organisation on Migration (IOM), in Bangkok from 21 – 23 April 1999. The symposium led to the adoption of the Bangkok Declaration on Irregular Migration among the 19 countries that attended the meeting. The meeting stressed the importance of designing policies and international cooperation in dealing with irregular and undocumented migration. The signing of the Bangkok Declaration led to the development of international cooperation mechanisms in the form of Memorandums of Understanding (MOU) between Thailand and neighbouring countries. The MOU between Thailand and Laos PDR on labour cooperation was signed in 2002, followed by the signing of the Thai-Cambodia MOU and the Thai-Myanmar MOU in 2004. The signing of the MOUs led to the development of an international labour management mechanism consisting of three major processes, namely the nationality verification process, the international recruitment and employment process, and border area employment for seasonal workers.

Box 1: Bangkok Declaration on Irregular Migration

The Bangkok Declaration's content focuses on regional cooperation in dealing with irregular migration, undocumented migrants and unordered migration. Taotawin and Satrakom (2013) concluded that the content of the declaration emphasises the following three main points:

- 1.1. Acceptance that migration has been caused by complex factors ranging from historical conditions, level of development, economic crises, disasters, to socioeconomic circumstances, as well as the association of the origin country, transit country as well as the destination country. Essentially, the acceptance of globalisation and liberalisation were factors associated with causing migration.
- 1.2. Recognising migration as fundamental to human rights, whether regular migration or irregular migration. The declaration, therefore, proposed the principle that the governments must not perceive irregular migrants as illegal. The government of the state party should have an appropriate approach to

deal with irregular migration based on human rights and providing legal protection for migrants.

- 1.3. Establishing international cooperation dealing with the problem of migration based on equality and respect for the sovereignty of each country. Recognising the role of international and regional cooperation institutions such as the United Nations, the cooperation framework in the Asia-Pacific region on refugees, asylum seekers, and migrants. Recognising the role of civil society such as non-governmental organisations. Establishing multi-level cooperation, such as bilateral, multilateral, or regional cooperation agreements.

Box 2: MOU on labour cooperation between Thailand and Myanmar, Laos PDR, and Cambodia

The MOU on labour cooperation between Thailand and Myanmar, Laos PDR, and Cambodia has four main objectives:

1. To establish proper employment processes
2. To develop an effective repatriation mechanism after completion of the employment period
3. To protect labour rights
4. To prevent illegal border crossings, human trafficking, illegal workers, and illegal employment.

The MOU has essential content as follows:

- **Integration of illegal workers:** The parties will work together to establish a process for integrating illegal workers, who have already been in the country of the other party before the enforcement of the MOU, into the scope of the MOU.
- **Employment Procedures:** Establish proper procedures for international recruitment and employment. Such proper procedures should cover the following processes:

- The Ministries of Labour of the parties have the primary responsibility for the MOU as authorised agencies. The parties will share information, including job opportunities, and the profiles of applicants such as age, address, reference person, education, experience, etc. for consideration of employment.
 - The required documents should be prepared subject to the law of the parties such as visas, work permits, health insurance, employment contract as well as contribution to the saving fund and tax payment.
 - The Ministry of Labour prepares the list of workers' names who are employed under the MOU and keep it up to date, even if the worker has completed the employment and returned to the country of origin.
- **Return and Repatriation:** The workers have to be sent back to the country of origin after finishing their period of employment. The period is limited to two years and may be extended for another two years, but the total period must not exceed four years. After completing four years of employment, the workers must leave for three years before being able to apply for new employment under the MOU system.
 - **The saving fund:** The workers must contribute 15 per cent of their salary to the saving fund. The workers are entitled to a full refund with interest upon completion of work and return to the country of origin. However, such rights can be revoked if the workers do not return to their country. The Ministry of Labour can use the funds for the costs incurred in the repatriation of workers.
 - **Protection of workers:** The parties must ensure the protection of labour rights subject to the domestic law of the parties. The workers have the right to receive mutual compensation and wages with regards to the principle of non-discrimination, gender, race, and religion. In the case of the labour disputes, workers must comply with the domestic law of the parties.
 - **Measurement against illegal employment:** Both parties must develop measures to prevent and suppress illegal border crossings, human trafficking, and illegal employment as well as exchanging relevant information between parties.

2004 – 2005

2004 to 2005 was another critical period that illustrates the formation of the migrant worker management regime in Thailand. After the declining number of migrant workers who came to renew their documents in 2002 and 2003, the government re-opened the amnesty registration in 2004. This registration allowed the dependents of the migrant workers and children under 14 years old, to enter. As a result, the number of migrant workers that showed up in this registration, reached 1,186,970. The dependents under 14 years old were 86,603. The top three most registered provinces were Bangkok, Tak, and Samut Sakhon (Cabinet resolution 18 October 2004). Also, the number of migrant workers reached 1,773,349 in 2005 (Cabinet Resolution 20 December 2005). The workers were granted permission to stay and work in the country for one year before repatriation, however, while the employers had to bring their employees for medical examination, buy health insurance, and request work permits, only a small number of employers complied with the regulations. As a result, at the end of 2004, only 231,342 workers were granted a work permit. The figure increased in 2015 to 705,293 (Cabinet Resolution 20 December 2005). However, it remained low compared to the total of registered migrant workers.

The government made a big effort to push migrant workers into the system and the initiative on the integration of various government departments was addressed in this period. The government began operating the One Stop Service Centre (OSSC) where combined staff from various ministries facilitated the documentation process. It can be noted that the number of workers receiving work permits rapidly increased from 231,342 to 705,293 people within a year.

Regarding the international cooperation on labour management, this period also marked the beginning of the nationality verification process and labour importation process under the MOU. The nationality verification process began with Laos and Cambodian workers. Laos PDR issued temporary passports for 34,763 workers, and Cambodia verified 72 workers (Cabinet resolution 13 March 2006). Myanmar, on the other hand, during the negotiation process with the Ministry of Foreign Affairs, maintained the operation of a nationality verification centres in towns

close to the Thai-Myanmar border, namely Tachileik, Kawthoung, and Myawaddy as well as a centre in Thailand.

The migrant management policy at the time was driven by the Executive Committee of Migrant Smugglers Management. The committee had the Deputy Prime Minister as the chairman and the Minister of Labour as secretary. This committee had a significant role in establishing the migrant management system. According to the below diagram, it can be seen that the documented migrant workers were divided into three groups:

- The first group was the smuggled migrant workers and their dependents, who registered through the amnesty registration according to the cabinet resolution in 2004. Migrants in this group who were verified by the country of origin were granted two-year permission (with two additional years) for working in Thailand. The workers, who had not passed the nationality verification process were granted only one-year permission, and they had to undergo the nationality verification process to receive a further extended permission.
- The second group were the migrant workers in the border area, including those who crossed the border daily and seasonal workers. The migrants in this group held a border pass for passing over the border. However, such a document was not valid for work according to Thai law. The Ministry of Labour, thus, proceeded to negotiate with the MOU parties to design a work permit specifically for this group of migrant workers.
- The third group were the newly recruited migrant workers under the process of the MOU. At that time, the process was in the negotiation period with the MOU parties. Therefore, none of the workers were employed through this process.

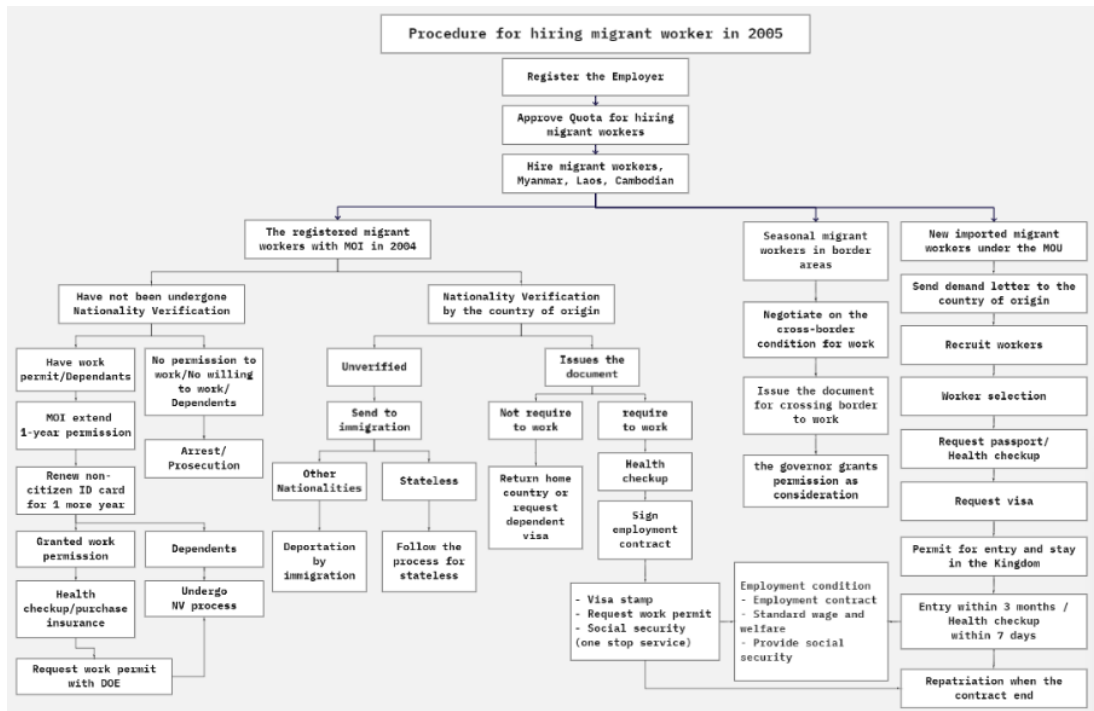


Figure 9 Procedure for Hiring Migrant Workers in 2005

Source: Summary Document of the Meeting of the Executive Committee of Migrant Smugglers Management No. 1/2005 on 6 May 2005 Attachment to the Cabinet Resolution on 10 May 2005

Domestic mechanism during 2006 – 2013

The period 2006 to 2013 was another period of political turmoil in Thailand. Since the coup on 19 September 2006, the government had to be re-formulated many times over. The policy on migrant management needed an immediate solution to ensure it was not held up and for ensuring that the production sector would not lack labour to feed its operation. The policy was overwhelmed by needing to manage within the timeframe and the workers' document expiration dates, which were scatter amongst various type of documents held by the workers.

Date of Cabinet Resolution	Type of Registration	2004		2005		2006		2007		2008		2009		2010		2011		2012		2013		2014		
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
27/4/2004, 14/9/2004	Amnesty Registration																							
10/5/2005	Extension until 30/06/2006																							
16/5/2006	Extension until 30/06/2007																							
19/12/2006	1- year Extension																							
18/12/2007	Extension until 28/02/2010																							
26/5/2009, 3/11/2009	Amnesty Registration																							
19/1/2010	2-year Extension until 28/02/2012																							
28/6/2011	Amnesty Registration																							
13/2/2012	Extension until 14/06/2012																							
12/6/2012	6-month Extension																							
15/1/2013	3-month Extension																							
9/4/2013	3-month Extension																							
6/8/2013	Amnesty for fishing sector																							
6/8/2013	1-year Extension until 11/8/2014																							

Figure 10 Cabinet Resolution during 2004-2013 on Migrant Worker Management

Source: Gathered from cabinet resolutions 2004 – 2014

According to figure 1.1, during 2006 - 2013, the Thai government mainly extended permission for the registered workers. It is worth noting that there were various forms of extension. Sometimes the government announced periodic extensions, such as one year, two years, 180 days, or 120 days. The difference between the more extended periods and the shorter periods of extension was that workers were required to undergo the registration to renew their document in order to receive 1 or 2-year permissions. On the other hand, the shorter period did not require the worker to undergo the registration process. Nevertheless, they were pushing the workers who had already registered to undergo the nationality verification process. For example, from late 2011 to 2013, the nationality verification process was the primary method for managing migrant workers. The government sought to expedite the nationality verification process and pushed all workers to undergo the process. Therefore, only a short period extension was announced. However, when the time was approaching for the ending of the extension period, and many migrant workers had still not completed the nationality verification process, the extension was re-announced.

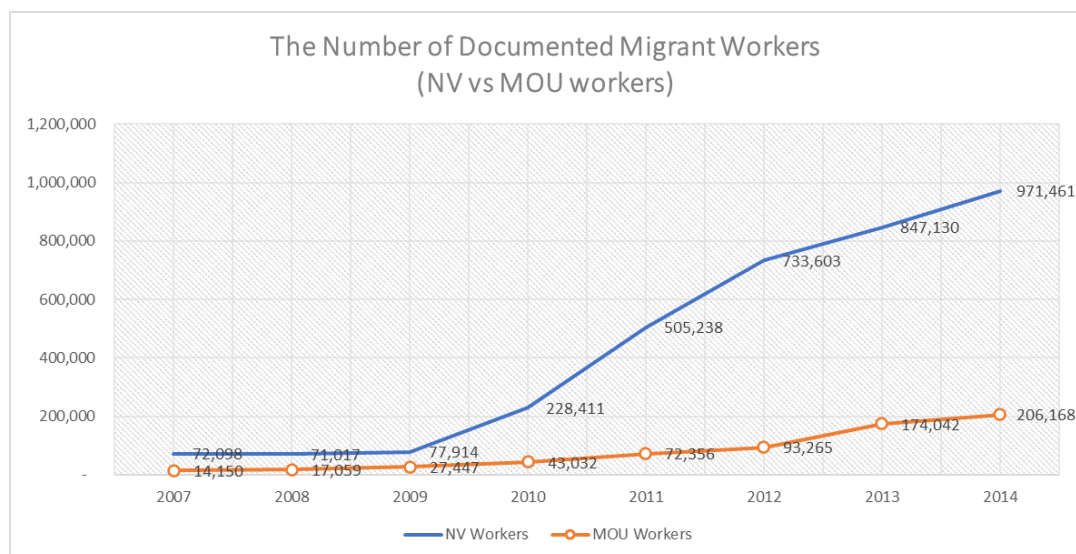
Another type of extension program was the specific-date extended permission. Such an extension was employed when there were many groups of migrant workers with different expiration dates. The various expiration dates led to confusion in managing the timeframes for permission. In this situation, the government would announce specific date permissions. For example, from 2008 to

2009 the government announced that all migrant workers would be permitted to stay until 28 February 2010.

During 2006 to 2013, despite the immediate solutions to deal with the permission timeframe and pushing workers to undergo the nationality verification process, another technique of the government was to open amnesty registration for undocumented workers or those who had not been registered in 2004. The amnesty registrations were re-opened in 2009 and 2011. Such registrations were operated because the government considered that a lot of new migrant workers came to Thailand after the registration period and some registered workers may have already left the country. As a result, there should have been a lot of undocumented migrant workers and workers who held incorrect documents in the country. It is worth emphasising that the amnesty registration was similar to resetting the document system for both the government's data and for the workers' documents. While the government could identify the current worker profiles, the workers also benefited by re-configuring their identity, especially in the situation where the civil registration system and identification document system in the country of origin remained unclear. The mechanism for sharing citizen information between countries had not generally been operated for dealing with the migrant worker issue. The workers, thus, could produce their new identity by passing through the registration process.

International mechanism during 2006 - 2013

According to the data of the Office of Foreign Workers Administration, the number of migrant workers who passed the nationality verification process and MOU process were presented in 2007 for the first time. However, the nationality verification process had been piloted with Laotian and Cambodian workers since 2005. The recruitment process under the MOU was implemented in the following year with Laos PDR and Cambodia as well. The Thai government struggled with negotiating with the Myanmar government, and it was not until 2009 that the nationality verification process was established for Myanmar workers and the recruitment process under the MOU was operated in the following year.



*Figure 11 Number of Migrant Worker (NV vs MOU workers) from 2007 to 2014
Source: Foreign Workers Administration Office, MOL*

According to the figures, the number of NV workers dramatically increased from 2009 to 2013 while the number of MOU workers slightly increased. There was a wide gap between these two types of workers. Below is the timeline in the development of the nationality verification process from 2010 to 2013.

- In 2010, the Myanmar government opened more verification centres in Ranong province. Previously, there were only three verification centres in Myanmar, located in Tachileik, Kawthoung, and Myawaddy. The centre in Ranong facilitated the workers to go through the process in Thailand without crossing back to Myanmar.
- In 2011, the permission period for NV workers and MOU workers was extended from three years maximum to six years. The gap period that workers must leave Thailand for after completing the maximum period was reduced from one year to 30 days.
- In 2012, the Myanmar government established five additional nationality verification centres in Thailand, located in Bangkok, Samut Sakhon, Samut Prakan, Chiang Mai and Surat Thani.
- In 2013, the Thai government combined the process of the nationality verification process with the internal registration process. Previously, the

workers who were able to undergo the nationality verification process had to register with the Department of Public Administration (DOPA). Yet, in 2013, the Thai government sought to reduce the documentation process for migrant workers to push them to be verified by the country of origin. Through the operation of the 12 One Stop Service Centres (OSSC) throughout the country, the workers could report to a centre to extend their permission together with accessing the verification process operated by the government officials from their country of origin.

The expansion of the nationality verification process of the Myanmar government in Thailand led to the increasing number of NV workers from 2009 to 2013. The growing number was a result of the efforts of the Thai government to push the workers to go through this process. In this period NV became the primary channel supported by the governments of both Thailand and the MOU parties.



Figure 12 Temporary Passport and Certificate of Identity

Source: Department of Fisheries, Ministry of Agriculture and Cooperatives

The final point of the migrant worker management policy in the period from 2001 to 2013 was the announcement of a cabinet resolution on 6 August 2013. The Thai government extended the permission period for migrant workers who had

already passed the documentation process to stay and work in Thailand for one more year until 11 August 2014. The cabinet also agreed on the open registration for undocumented migrant workers in the fishing industry twice a year. This cabinet resolution led to a separation in the permission timeframe of migration workers in the fishing sector compared to other sectors. The fishing sector became the only sector that was able to operate the amnesty registration, while the other sectors were only allowed to have registered migrant workers extend their permission. However, the management system underwent a significant change after the revolution on 22 May 2014 and the rise to the power of the National Council for Peace and Order (NCPO).

III. The Thriving of the Migration Industry (2014 – 2020)

The rise of the National Council for Peace and Order (NCPO) since the revolution on 22 May 2014 has been a significant turning point in the process of government administration in Thailand. The management of migrant workers is one of the government programs that have changed in many aspects.

The core practice for implementing migrant worker management policies in the NCPO era, from 2014 to 2020, focused on two main operations. The production of a registration mechanism throughout the country, on the one hand, and pushing migrant workers into the employment process under the MOU on the other.

The Foreign Workers Problem Management Policy Committee and the Foreign Workers Problem Solving Coordination Committee were appointed by NCPO Order No. 59/2557 and Order 60/2557 on 10 June 2014 to integrate the work of 24 government departments under the control of the NCPO Deputy Chief as Vice Chairman. However, shortly after the rise of the NCPO, the US Department of State announced the Trafficking in Person Report 2014. The report lowered Thailand's level from being in the Tier 2 Watch List to the lowest tier 3, meaning that Thailand did not comply with the minimum standards of the US law on the prevention and suppression of human trafficking and made no attempt to resolve human trafficking. The report referred to the case of forced labour in the fishing boat business¹.

¹https://www.parliament.go.th/ewtcommittee/ewt/special/download/article/article_20140707094124.pdf

On 25 June 2014, the National Council for Peace and Order issued a new order to set up a new committee for managing foreign labour and human trafficking policy.

The issue of human trafficking was incorporated into the agenda of the migrant worker management. The relevant ministries, such as the Ministry of Social Development and Human Security, were integrated into the committee for tackling human trafficking. On the same day, the NCPO announced the first set of policies to solve the problem of foreign labour and human trafficking. The NCPO issued an announcement No. 70/2557 on temporary measures to resolve the problem of alien workers and human trafficking in labour. The same announcement also ordered the set-up of One Stop Service (OSS) centres nationwide with the first operation in Samut Sakhon province. These centres were responsible for collecting the workers' profiles, issuing identification documents, operating medical check-ups and issuing work permits. The amnesty registration for three nationalities of migrant workers was re-opened. All workers had to report to the One Stop Service (OSS) centres. Later, in July 2014, there were 4 NCPO announcements to open OSS centres in all provinces nationwide and 6 OSS centres in Bangkok. OSS centres operated until 31 March 2015. Workers who enrolled at the OSS centres would be allowed to stay and work in the country until 31 March 2015. They had to go through the nationality verification process to get a passport or temporary passport (TP) or certificate of identity (CI) and be issued a visa before 31 March 2015 in order to be allowed to stay and work in the country for another two years. A total of 1,533,675 workers and 92,560 dependents reported to the OSS centres (Cabinet. 3 March 2015). The OSS centres have operated occasionally since when the workers' permission is going to expire. The government will instruct workers to report to an OSS centre to grant further permission for one or two years, depending on the situation. For example, in 2015, the workers' permits were going to expire in March 2015. The government opened the OSS operation for extending permission for another year to March 2016. However, in 2016, since there were a number of Nationality Verification (NV) workers whose permits were going to expire, the government, therefore, extended all groups of migrant workers for two more years until March 2018.

Despite the above, the registration for migrant workers in the fishing sector has been conducted separately since the end of 2013. The cabinet resolution on 6 August 2013 allowed the fishing industry to have an amnesty registration twice a year. The registration for migrant workers in the fishing sector operates at the OSS centres in 22 coastal provinces with a different registration cycle to other groups of migrant workers in general. During this period, the issue of migrant worker management not only involved human trafficking but also the problem of IUU fishing, for which Thailand received a yellow card from the European Union. The migrant worker management policy, therefore, incorporated rules regarding human trafficking and IUU fishing during this period.

Another significant event during the period was the legislation of the Emergency Decree on Alien Work Management BE 2560 (2017) on 23 June 2017. This law is a combination of two laws, namely the Working of Aliens Act, B.E.2551 and the Emergency Decree on Recruitment of Foreigners to Work with Employers in Thailand, B.E. 2559. The main content did not much change from those two original laws. One significant change was an increase in the penalty for illegal workers (comparing penalties for child labour and human trafficking). The penalty for employers who employ illegal migrant workers was increased from 100,000 baht to 400,000 to 800,000 baht for each illegal worker. It is worth noting that, so far, the government has not yet succeeded in ensuring that all migrants in the country have the correct legal status. For example, illegal status occurs not only because the workers are undocumented, but also if they hold expired documents, or they may have documents that indicate some incorrect detail about the actual employment, such as a different employer or a different working location. This may be caused by changing job and failing to report it to the government. Enforcing this law may have resulted in the deportation of up to 300,000 illegal migrant workers².

Law enforcement led to a broader panic. Many workers fled the country³. A number of employers came out to express their dissatisfaction⁴. The situation led to

² Bangkok Post, 5 July 2017, Business hails labour law delay, <https://www.bangkokpost.com/business/1281115>

³ Bangkok Post, 7 December 2017, Myanmar asks Thailand for delay of migrant labour laws , <https://www.bangkokpost.com/world/1374267/myanmar-asks-thailand-for-delay-of-migrant-labour-laws>

the use of the NCPO power under section 44 to postpone the enforcement of some sections of the law. The exemption was postponed until early 2017. During the reprieve, employers and migrant workers who had incorrect document status needed to report to the government in order to adjust their status (NCPO order no. 33/2560, announced on 23 June 2017). Finally, the total number of migrant workers who reported to the government at the end of the relaxation period on 31 December 23, 2017 was 727,473.

The enforcement of the Foreigners' Working Management Emergency Decree also led to the approval of the cabinet on the enforcement of section 83 of the Royal Ordinance on Fisheries BE 2558. Section 83 authorises the Department of Fisheries (DOF) in three areas. First, the DOF has the authority to permit staying in the country for foreigners who want to do sea fishing work. Second, the DOF has mutual authority with the Ministry of Labour (MOL) in permitting foreigners to work in the fishing sector. Third, the DOF has mutual authority with the Marine Department (MD) in issuing a seaman's book which allows foreign workers to work on a vessel.

Section 83, consequently, results in combining three areas of authority to the Department of Fisheries (DOF), which operates under the Ministry of Agriculture and Cooperative (MOAC), to have absolute authority in managing migrant workers in the fishing sector. Three powers include providing permission to stay, to work, and to work on the vessel. Those authorities initially belonged to the Ministry of Interior (MOI), the Ministry of Labour (MOL), and the Ministry of Transportation (MOT). Section 83 was implemented under the cabinet resolution on 12 September 2017 for the first time. With this implementation, the migrant workers who illegally entered the country and wanted to work in fishing were allowed to stay and work for a specified period. They can be registered at the One Stop Service Centre (OSSC) in 22 coastal provinces. The DOF would be the primary government official in operation and issuing the sea book for the workers, while other related agencies would support the operation.

⁴ Bangkok Post, 7 Mar 2018, Cabinet softens punitive decree on migrant workers, <https://www.bangkokpost.com/thailand/general/1423554/cabinet-softens-punitive-decree-on-migrant-workers>

At the end of 2017, the low-skilled migrant workers from neighbouring countries were categorised into six sub-groups, including:

- 1) NV workers.
- 2) MOU workers.
- 3) Workers in the fishing sector and seafood processing sector.
- 4) Registered and approved employment relationship workers
- 5) OSSC registered workers.
- 6) Seasonal workers in the border areas.

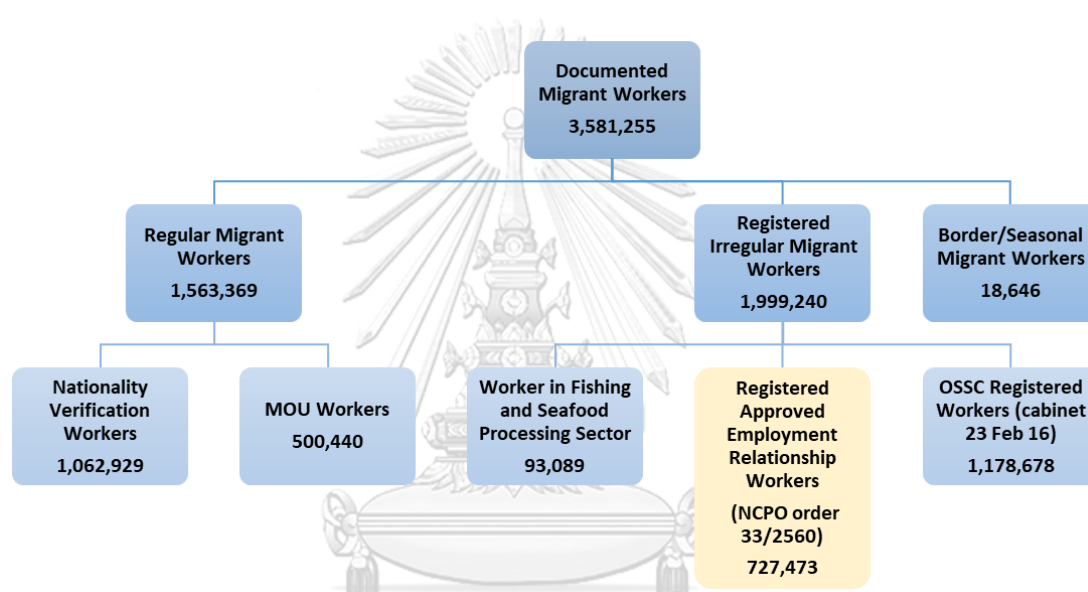


Figure 13 Number and Category of Migrant Workers as of January 2018

Source: Operational Guideline for Migrant Workers Administration according to the Cabinet Resolution on 16 January 2018, Ministry of Labour (MOL), 2018

Consequently, the structure of the migrant worker management operations during this period has two different types of operation centres. The first one is the operation centre for the management of foreigners' working, where the Nationality Verification is operated. Another type is the One Stop Service centre. While the OSS centres are operated nationwide, there are 13 nationality verification centres as follows:

- 9 Myanmar nationality verification centres: 2 locations in Samut Sakhon, Samut Prakan, Nakhon Sawan, Tak, Chiang Mai, Chiang Rai, Ranong, Songkhla

- 3 Cambodian citizenship proof centres: Bangkok, Songkhla, Rayong
- 1 Laos nationality verification centre in Bangkok

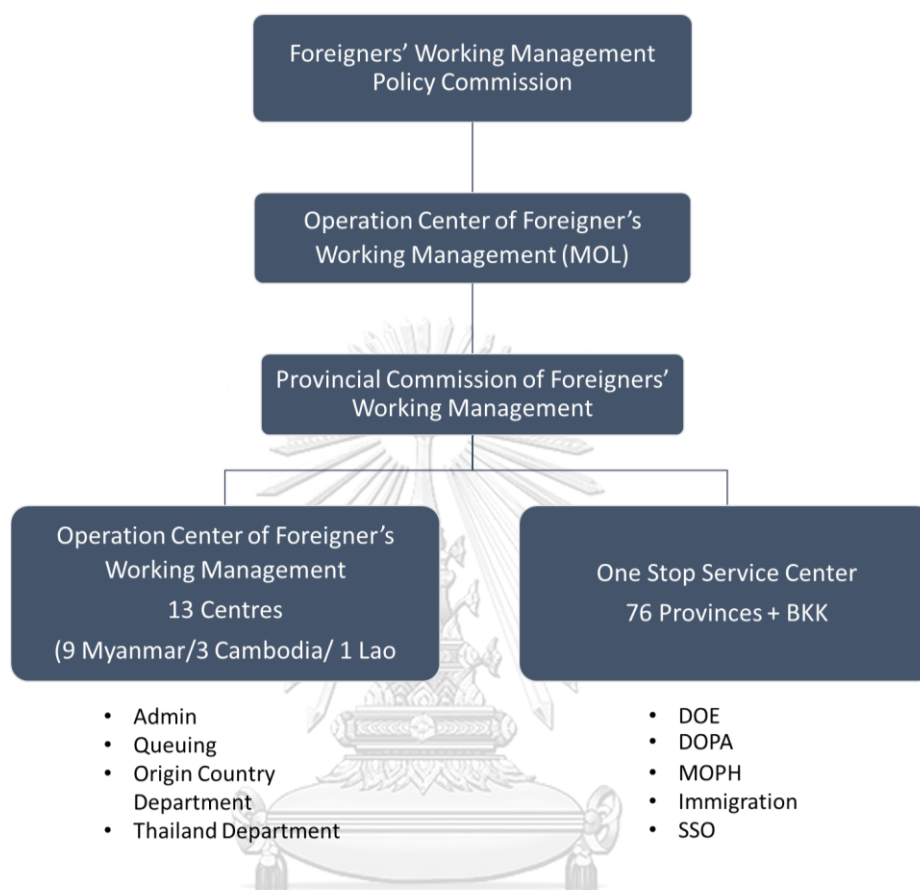


Figure 14 Structure of Migrant Worker Administration Body as of January 2018

Source: Operational Guideline for Migrant Workers Administration according to the Cabinet Resolution on 16 January 2018, Ministry of Labour (MOL), 2018

International mechanism from 2014 - 2020

Statistics from the Office of Management migrants show the number of migrants going in opposite directions between NV workers and MOU workers. The employment process under the MOU is the primary channel supported by the Thai government. The legislation of the Foreigners' Working Management Emergency Decree B.E. 2560 is a significant turning point, pushing workers to be employed under the process of the MOU. The content of the Royal Decree demonstrates three main parts, including the regulations on employment for migrant workers, the

regulations on the importation of migrant workers, the penalties for employment of illegal migrant workers.

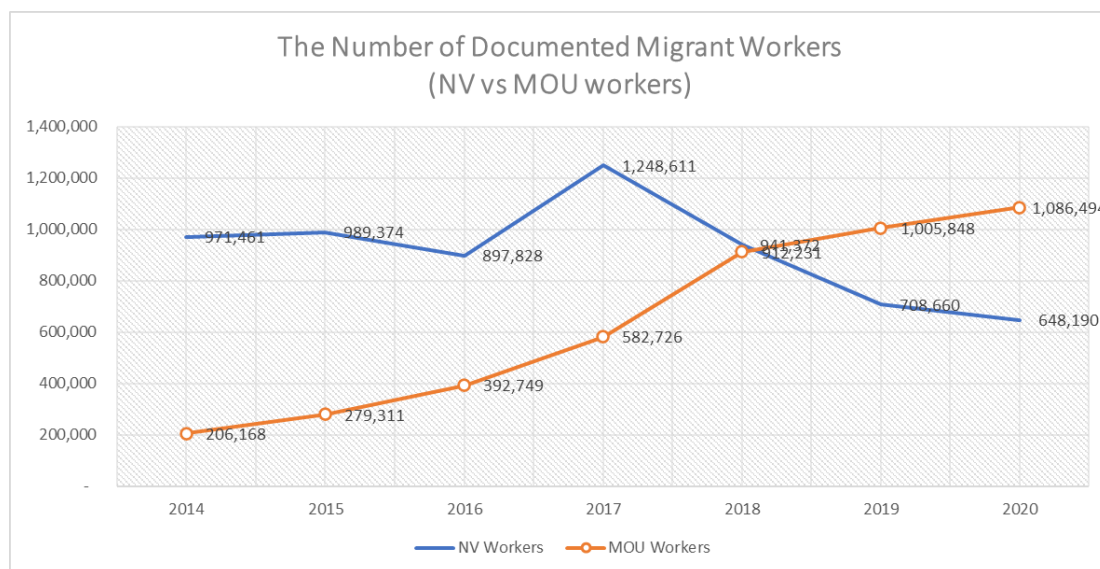


Figure 15 Number of Migrant Workers (NV vs MOU workers) from 2014 to 2020
Source: Foreign Workers Administration Office, MOL

Another factor that contributed to the increase of MOU workers during this period was the increasing volume of recruitment agencies, labour brokers, and informal intermediaries. According to the Office of Foreign Workers Administration, as of 7 April 2017, there were 60 authorised recruitment agencies, while in 2020 there are more than 200. These agencies must place a deposit of 5 million baht with the Department of Employment. Such intermediaries play an essential role in providing a service for recruiting and employing migrant workers under the MOU process, such as recruiting workers from the country of origin, importing workers, adjusting the legal status of migrant workers, providing passports, visas, and work permit renewal services, providing a 90-day reporting service at the Immigration office, providing services to request 13-digit identification numbers for acquiring social security documents. It can be seen that there are a lot of documentation processes involved with hiring migrant workers. The burden of document management is one of the major limitations for small-sized businesses to proceed with the MOU process by themselves. Such intermediaries play a role in fulfilling the needs and allowing small

businesses to access the MOU process more easily, while larger companies have more resource for dealing with the MOU process. For example, Thai Union, a large seafood producer and exporter, have signed a contract with some labour recruitment companies in Myanmar to recruit workers and send them through the MOU process. Besides, Thai Union also sends their employees to Myanmar to recruit, interview, and issue employment contracts to the workers before importing them through the process.

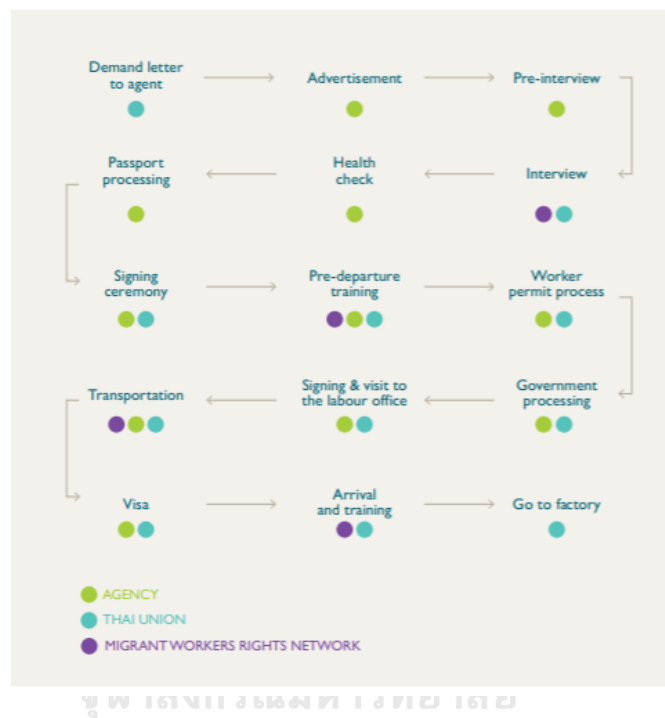


Figure 16 The Recruitment Journey

Source: (Impactt, 2018) (p.8)

Besides, the operation of the intermediaries can also help migrant workers to change their legal status from other groups of workers, whether pink card or NV workers to becoming an MOU worker. Using the international service of such agencies, the workers can reduce the period of time they are away from Thailand. The agencies can send papers of the migrant worker to request the documents from the country of origin, such as a passport, while the worker continues working in Thailand. Once the document is issued, the worker only has to travel to their country to pick up the document and then can come back to work. The process for adjusting worker

status from others to that of an MOU worker is informally called MOU return, or MOU recycle.

Another turning point for the MOU process was the cabinet resolution on 20 August 2019. The Thai government established a new type of MOU process, the so-called special MOU, or domestic MOU. The process gave migrant workers entitlement to the same status as MOU workers without returning to their home country for the issuing of travel documents. All the required documents can be processed and issued in Thailand. A worker who passes this process will be entitled to the correct legal status according to the foreign worker management law.

The employment process under the MOU process

The regulations on bringing migrant workers to work in Thailand are currently regulated by the Foreigners' Working Management Emergency Decree B.E. 2560 Revision B.E. 2561. The Royal Decree specifies two modalities for recruiting migrant workers: 1) Direct recruitment by employer; and 2) Recruitment through authorised agencies. The recruitment procedures can be summarised into eight steps as follows.

- 1) Request an import quota for hiring foreign workers
- 2) Request to import workers
- 3) Recruitment process in the country of origin of the workers
- 4) Document process for importing foreign workers
- 5) Approval for importing workers
- 6) Processing of workers' documents in the country of origin of the workers
- 7) Post-arrival process for the workers
- 8) Repatriation at the end of employment duration

Table 4 Migrant Workers Employment Process under the MOU

Process	Description
1. Request an import quota for hiring foreign workers 2. Request to import workers	<ul style="list-style-type: none"> - Employer or employer's agency request a quota for hiring migrant workers and request to import workers. - The documents include the application forms for requesting a quota and bringing foreign workers to work in the Kingdom, Power of Attorney, employment contract, and supporting documents. - Submit the request at the PEO. - The PEO and DOE verify the request (estimated at 10 days) - The documents will be forwarded to the government officials in the home country of the workers. (estimated at 2 to 3 weeks)
3. Recruitment process in the country of origin of the workers	<ul style="list-style-type: none"> - Employer or employer's agency coordinate with a recruitment agency in the country of origin of the workers for operating the recruitment process, i.e. recruiting, shortlisting, selecting, and contracting. - The recruitment agency in the country of origin of the workers sends a list of names of migrant workers to the employer or employer's agency and the labour attaché's office.
4. Document process for Importing foreign workers	<ul style="list-style-type: none"> - Employer or employer's agency submit the list of names of the workers to the PEO (estimated at 10 to 14 days)
5. Approval for importing workers	<ul style="list-style-type: none"> - The DOE approves the importing of foreign workers and informs employer, the embassy, and immigration office.

6. Processing of workers' documents in the country of origin of the workers	<ul style="list-style-type: none"> - The government officials in the country of origin of the workers issue passport and Overseas Worker Identification Card. - The workers receive documents and travel to Thailand.
7. Post-arrival process for the workers	<ul style="list-style-type: none"> - The workers attend training at one of the Post-Arrival and Reintegration Centres for Migrant Workers (Tak, Sa Kaeo, Nong Khai) - The workers receive work permits. - Employer takes the workers to undergo health check-ups and submits a medical certificate with PEO within 30 days.
8. Repatriation at the end of employment duration	<ul style="list-style-type: none"> - The workers are allowed to work in Thailand for no more than 4 years. - The employer must repatriate the worker to their country of origin right after finishing the duration of employment. - The workers have to leave the country for at least 30 days if they wish to return to work in Thailand through the MOU process.

In conclusion, the policy dynamic of the migrant worker management regime in Thailand can be distinguished and conceptualised into three phases. *The first phase is the period from 1992 to 2000.* During this beginning period, the government demonstrated the concerns regarding national security, long-term social burden, communicable diseases, and domestic employment. The government began operations for the domestic registration of migrant workers who were illegally smuggled into Thailand. Several restrictions were enforced on migrants, including the permission area, type of work, residential duration as well as the total number of workers that were allowed to work in the country. However, the government could not manage to

limit the flow of migrants from neighbouring countries. It is worth noting that the number of registered migrant workers did not reflect the actual figure.

The second period was between 2001 and 2013. This period demonstrated the changing perception of migrant workers being economic migrants as well as growing collaboration on international labour management between Thailand and its neighbouring countries. The changing of the government, together with intervention by the international players seems to have triggered the shift in perception of migrant workers, which was reflected in the implementation of the migrant worker management policy in this period. The policy began to change in 2001 when the government was under the administration of Mr. Thaksin Shinawatra. The registration of migrant workers in 2001 was the first time that the Thai government opened the systematic registration of smuggled migrant workers within the whole employment system and was known as amnesty registration. Consequently, the workers were allowed to work in every province of Thailand and two additional employment sectors, namely manufacturing and domestic workers, in order to cover the higher demand for hiring migrant workers.

This period also marked progress on cooperation in international labour management. The adoption of the Bangkok Declaration on Irregular Migration stressed the importance of designing policies and international cooperation in dealing with irregular and undocumented migration. It led to the development of international cooperation mechanisms in the form of Memorandums of Understanding (MOU) between Thailand and neighbouring countries. The MOU between Thailand and Laos PDR on labour cooperation was signed in 2002, followed by the signing of the Thai-Cambodia MOU and the Thai-Myanmar MOU in 2004.

Later, the government re-opened amnesty registration in 2004. This registration allowed the dependents of migrant workers, including children under 14 years old, to enter the country. Also, the government began operating the One Stop Service Centres where combined staff from various ministries facilitated the documentation process. However, after the coup on 19 September 2006, the government had to be re-formulated many times over. The period 2006 to 2013 was another period of political turmoil in Thailand. Since the coup on 19 September 2006, the government had to be re-formulated many times over. The policy on migrant

management needed an immediate solution to ensure it was not held up and for ensuring that the production sector would not lack labour to feed its operation. During 2006 to 2013, despite the immediate solutions for dealing with the permission timeframe and pushing workers to undergo the nationality verification process, another technique of the government was to open up the amnesty registration for undocumented workers or those who had not been registered in 2004. The amnesty registrations were re-opened in 2009 and 2011. After that the government announced a cabinet resolution on 6 August 2013. This cabinet resolution led to the separation in permission timeframes for migration workers in the fishing sector compared to other sectors. The fishing sector became the only sector that was able to operate the amnesty registration, while the other sectors only allowed registered migrant workers to extend their permission.

Regarding the international collaboration, the number of NV workers dramatically increased from 2009 to 2013 while the number of MOU workers only slightly increased. The growing numbers was the result of the efforts of the Thai government to push the worker to go through this process. In this period NV became the primary channel supported by the governments of Thailand and the MOU parties.

Third period was between 2014 and 2020. The rise of the National Council for Peace and Order (NCPO) after the revolution on 22 May 2014 was another significant turning point in the migrant workers' management programs in Thailand. The core practice for implementing migrant worker management policies in the NCPO era, from 2014 to 2020, focuses on two main operations. The production of a registration mechanism throughout the country, on the one hand, and pushing migrant workers into the employment process under the MOU on the other. The amnesty registration for three nationalities of migrant workers was re-opened. All workers had to report to the OSS centres nationwide.

Another significant event during the period was the legislation of the Emergency Decree on Alien Work Management BE 2560 (2017). This law is a combination of two laws, namely the Working of Alien Act, B.E.2551 and the Emergency Decree on Recruitment of Foreigner to Work with Employers in Thailand, B.E. 2559. A significant change was the increase in the penalties relating to illegal workers. Enforcement of the law led to a broader panic, and the NCPO's power under

section 44 was used to postpone the enforcement of some sections of the law. The exemption was postponed until early 2017

Also, during this period the issue of migrant worker management not only involved human trafficking but also the problem of IUU fishing. The enforcement of the Foreigners' Working Management Emergency Decree also led to the approval of the cabinet for the enforcement of section 83 of the Royal Ordinance on Fisheries BE 2558. Section 83, consequently, resulted in combining three areas of authority to the DOF, which now operates under the Ministry of Agriculture and Cooperative (MOAC), and has absolute authority in managing migrant workers in the fishing sector. The registration for migrant workers in the fishing sector works through OSS centres in 22 coastal provinces with a different registration cycle to other groups of migrant workers in general.

Besides this, the employment process under the MOU became the primary channel supported by the Thai government. Since recruitment agencies played a significant role in the recruitment process under the MOU, it led to the growth of the migratory industry during this period.

In conclusion, this sector demonstrates the dynamic of the migrant worker management regime. The rationale of the policy has been inconsistently configured over the period. The mobility of migrant workers is subject to regulations by the changing of the policy. In the first, period the flow of migrant workers was considered as a threat to national security. The policy reflected the priority of blocking the flow of the workers. In the second period, the government changed the rationale to control labour mobility from limiting the flow to harnessing it in order to nurture economic growth. The policy priority seemed to change once again when the military junta became the government. The government established several new rules and regulations to rigidly control not only the workers but also employers and brokers.

3.3 Dynamic of Regulations and Brokers as Mobility infrastructure

In this section, I will present the mobility infrastructure, which relates to the changing of jobs for migrant workers. I draw upon the concept of mobility infrastructure (Lin et al., 2017; Lindquist, 2017; Sheller & Urry, 2006; Xiang &

Lindquist, 2014) to examine the pathway that made the movement of migrant workers possible. Changing employment also relies on the mobility infrastructure, which is shaped by the migrant management regime. Two particular dimensions of the mobility infrastructure, namely the regulations and brokers, are the main focus of this section. It will connect to the next chapter in which I elaborate how workers perform the interactions to allow the movement from job to job.

I. Regulations

The regulations relating to the travel and work of migrant workers is enforced by two major laws, namely the Immigration Act and the Foreigners' Working Management Emergency Decree.

Immigration Act B.E. 2522

The Immigration Act B.E. 2522 is the main regulation for controlling the entry and exit into the country of non-Thai citizens. The Ministry of Interior is the law enforcement agency. Although the law was introduced in 1979, amendments were made several times, including in 1980, 1999, 2014, 2017, and 2018. Indeed, the enforcement of this law covers all type of foreigners travelling into the Kingdom of Thailand, ranging from tourism, businesspeople, to labour. The essential parts that are directly related to migrant workers are as follows:

Table 5 Immigration Law regarding the Travel of Migrant Workers

Topics	Essential Contents
The entry and exit of foreigners	<ul style="list-style-type: none"> - A person must enter or leave the Kingdom in accordance with specific times and channels and must be authorised by an immigration official at the immigration checkpoint on that route. - To enter the Kingdom, a passport or document in place of a passport is required. The passport or document must be stamped by the embassy or consulate of Thailand or the Ministry of Foreign Affairs.

	<ul style="list-style-type: none"> - Citizens of countries with territories connecting with Thailand can be exempted from holding a passport for temporary crossings of the border; however, they must comply with the agreements between the Thai government and the governments of those countries. - Foreigners are allowed to temporarily stay in the Kingdom for specific purposes subject to the Immigration Act and the Interior Ministerial Regulations. - The permission for a temporary stay in the Kingdom will be terminated once the foreigners leave the Kingdom. The termination can be exempted if the foreigners obtain a re-entry permit from the immigration officials before leaving.
The duration of permission for a temporary stay of foreigners	<ul style="list-style-type: none"> - Foreigners can be granted permission for a temporary stay in the Kingdom for a duration ranging from 30 days to 2 years subject to the type of permission. In the case of a necessary extension, the Director-General of the Police Department can grant permission to stay for up to 1 year at a time.
Work of Foreigners	<ul style="list-style-type: none"> - Foreigners must not engage in a career or employment unless permitted by the Foreign Business Act or the Foreigners' Working Management law.
Reporting to the authorities while living in the Kingdom	<ul style="list-style-type: none"> - Foreigners must notify their accommodation to the authorities. The notification must be made within 24 hours in case of changing the accommodation, and within 48 hours in case of staying more than 24 hours in another province. - In the case of staying in the Kingdom for more than 90 days, foreigners must report to immigration officials every 90 days. The notification can be made in person or by letter.

Foreigners' Working Management Emergency Decree, (No. 2) B.E. 2561

Another important law is the Foreigners' Working Management Emergency Decree B.E. 2560 Revision B.E. 2561. The Minister of Labour is the authority for

enforcing this law. The law was introduced in 2017 by combining two prior laws, the Working of Aliens Act, B.E.2551 and the Emergency Decree on Recruitment of Foreigners to Work with Employers in Thailand, B.E. 2559. However, due to the chaotic situation after enforcing the law in 2017, the government suspended the enforcement of some sections. Finally, the law was amended and enforced in 2018. The enforcement of the Foreigners' Working Management Emergency Decree aims to administer migrant workers from neighbouring countries, especially low-skilled migrant workers under the Memorandums of Understanding on labour cooperation between the Thai government and the governments of neighbouring countries. The law does not cover the regulations for high-skilled workers, diplomatic delegations, United Nations' staff, the personal servants of diplomatic persons and the representatives of foreign jurisdiction persons that have obtained a business licence under the Foreign Business law. The key points of the law directly relevant to the employment and mobility of migrant workers are as follows:

Table 6 Foreigners' Working Management Law

Topic	Essential Contents
The regulations on migrant worker employment	<ul style="list-style-type: none"> - No foreigner is allowed to work without a work permit and cannot engage in any form of work outside of the permission of this law. Also, no individual is allowed to employ a foreigner who does not have a work permit or provide any form of work outside of the permission of this law. - To hire and dismiss an alien, the employer must notify the Department of Employment (DOE) within 15 days. - There are two ways to bring foreigners to work in Thailand: one is importation by the employer, another is importation by authorised agencies. - The employer cannot collect any money or property related to bringing the worker from the country of origin to work except the personal expenses of the worker, and the

	<p>employer has paid them in advance. For example, personal expenses include the costs of a passport, medical examination, work permit, or other expenses announced by the DOE. The employer can deduct these from the salary of the worker, but the deduction must not exceed 10 per cent of the salary.</p>
<p>The regulation for the authorised agencies for importing migrant workers</p>	<ul style="list-style-type: none"> - Authorised agencies must have a licence from the DOE and comply with the regulations. - These agencies must deposit a minimum of 5 million baht to request a licence. The licence will be valid for five years and is renewable. - Importation is only allowed for bringing workers to work with an employer. Also, only the specific name, nationality, passport number of the worker will be allowed according to the contract between the agencies and the employer. - The employer must not be a subcontractor. - The agencies are not allowed to request any money or property from the worker. The agencies can charge a service fee and expenses to the employer subject to the rate prescribed by the DOE. - Once the agencies have delivered the worker to the employer, notification must be made to the DOE within 15 days.
<p>Regulations for employers for importing migrant workers</p>	<ul style="list-style-type: none"> - The employer must not be a subcontractor. - The importation of the worker means the recruitment of the worker under the terms of the MOUs between Thailand and neighbouring countries. - The employer must give a list of names, which includes passport numbers of the workers, to the DOE. - The employment contract between the employer and the employee must be written. Also, the employee must be

	<p>provided with a copy of the employment contract.</p> <ul style="list-style-type: none"> - Once the employee has been dismissed, the employer must inform the DOE within 15 days.
Conditions for changing employer of migrant workers	<ul style="list-style-type: none"> - If workers leave their job before the expiration of the employment contract, they will not be allowed to change jobs and work with other employers unless they can prove that the reason for leaving the job was due to the employer's fault or they have paid the incurred costs to the previous employer. The cost can be calculated by all the costs incurred by bringing migrants into the country to work. The deduction can be made according to the period of working. Therefore, there are six conditions that mean that an employee can change employer as follows: <ul style="list-style-type: none"> ▪ The dismissal is made by the employer or the death of the employer. ▪ The employer goes bankrupt. ▪ The worker is abused or assaulted by the employer. ▪ The employer does not comply with the employment contract or the labour protection law. ▪ Working conditions and the environment is harmful to the life, health or mental condition of the worker. ▪ The new employer agrees to compensate for all costs to the former employer.
Duration for changing employer	<ul style="list-style-type: none"> - The employee must work with the new employer within 30 days; otherwise, the work permit and permission for staying in the Kingdom will be terminated. - Likewise, the agency must deliver the worker to a new employer within 30 days; otherwise, the work permit of the worker and permission for staying in the Kingdom will be terminated. - In case of the termination of the worker's permission to stay,

	<p>the agency must repatriate the worker within seven days.</p> <ul style="list-style-type: none"> - If the worker acquires new employment, the new employer must inform both the authorised agency who imported the workers and the DOE within seven days.
The repatriation of the worker at the end of the employment contract	<ul style="list-style-type: none"> - Once the worker has reached the end of the employment contract, the last employer or the authorised agency must send the worker back to the country of origin within 30 days, unless the employment contract is renewed or a new employer employs the worker within 30 days.
Regulations regarding work permits of migrant workers	<ul style="list-style-type: none"> - The work permit is valid for two years, and the DOE issues it. The employer can apply for a work permit on behalf of the worker. - A migrant worker must inform the DOE about the employer, place of work, and type of work within 15 days. The notification must be made every time that there is a change of employer. - The worker must renew the work permit before it expires. - In order to request a work permit, the worker is required to undergo a health examination.
The regulations regarding temporary migrant workers in the border areas	<ul style="list-style-type: none"> - A worker, who holds a border pass and comes from a country that shares the border with Thailand, is subject to specific conditions regulated by the ministerial regulation.

The mobility of migrant workers in Thailand is regulated by two major laws, namely the Immigration Act, and Foreigner's Working Management Emergency Decree. The Immigration Act regulates the activities of foreigners for travel in and out of the country, and the regulations while staying in the country. The Foreigner's Working Management Emergency Decree regulates the rules regarding migrant workers employed as foreigners, bringing the workers into the country by employer or an agency, the changing of an employer, and the repatriation of the workers.

The Immigration Act is administered by the Ministry of Interior (MOI). The law is executed by immigration officers and police officers. The enforcement of the law covers all type of foreigners travelling into the Kingdom of Thailand. However, there are four main areas relating to the travel of migrant workers, including the entry and exit of foreigners, the duration of permission for temporary stays, the employment of foreigners, and reporting while living in the Kingdom.

Although the law has been in place since 1979, several amendments have been made. A crucial amendment relating to the entry and employment of migrant workers is the amendment made in 2018. The amendment was made to align with the Foreigner's Working Management Emergency Decree, which became law in 2017. In the past, according to section 12, the entry of foreigners to be labourers without having knowledge or academic training is not allowed under the immigration law. Therefore, the entry of migrant workers to work as labourers is in breach of the immigration law. Yet, through the power under section 17, the law gives the authority to the Council of Ministers to grant exemption from complying with the law in a special case. Consequently, low-skilled migrant workers were occasionally granted permission to stay by the approval of the Council of Ministers through a cabinet resolution. Nevertheless, later on, Thailand enacted laws regarding the work of migrant workers and the immigration law was, thus, amended to allow migrant workers to enter and work in accordance with the foreigner's working management law.

The Foreigner's Working Management Emergency Decree is administered by the Ministry of Labour (MOL). The law has four main areas in managing the employment of migrant workers, including (1) the recruitment of migrant workers, (2) the bringing of migrant workers into the country, (3) the business conduct of authorised recruitment agencies, (4) the employment of migrant workers. Also, the law features several regulations regarding the employment of migrant workers, including work permits, the collection of recruitment fees, the types of recruitment agencies and employers that are allowed to employ and bring migrant workers into the country, the conditions for changing employer and the workplace of the workers, the duration for reporting the employment and changing of employer, the repatriation of the workers, and the special employment permissions for a certain area.

The law regarding employment of migrant workers was first passed in 2008 and was named the Working of Aliens Act. B.E. 2551. The law granted permission for foreigners to work in the Kingdom of Thailand in accordance with the permission of the Ministerial Rule of the MOL. It was not until 2016 that the law regarding the regulation on bringing foreigners to work in the country was enforced. The Emergency Decree on Recruitment of Foreigners to Work with Employers in Thailand B.E. 2559 had the primary intention of regulating recruitment agencies that were authorised to bring foreigners to work in the country under the MOUs between Thailand and its neighbouring countries, or under the government's policy on recruiting workers to work with employers in the Kingdom. However, in 2017, less than one year after this law was introduced the government repealed those two laws and enacted another law, named the Foreigner's Working Management Emergency Decree B.E. 2561. This law was the combination and amendment of the two former laws. However, due to its high penalties, it led to major controversy and broad panic amongst businesses, employers, and migrant workers. The law was once again amended in 2018.

In conclusion, the regulations regarding the mobility of migrant workers are embedded in the regulation on travelling in and out, staying, and working in the Kingdom of Thailand. Such regulations are indicated by two laws, namely the immigration law, and the foreigners' working management law. According to these laws, it can be seen that the movement of migrant workers is strictly controlled and monitored through several mechanisms and regulations, including:

- Control and monitoring through the document system, i.e. identification document, travel document, working licence, entry permission document.
- Regulation of types of foreigners who are allowed to enter the country.
- Regulation of the duration of permission to stay and work in the country.
- Regulations on reporting while staying in the country, i.e. periodically reporting, changing accommodation, changing of workplace and employer.
- Regulations on leaving the country, such as if the permission expires, or the employment contract ends.

However, such regulations are not tied to a fixed structure but are subject to configuration periodically. On the one hand, the mobility of migrant workers is directly affected by the changing of regulations. On the other hand, the change also directly affects the migration brokers, who play a crucial role in accommodating the mobility of migrant workers. The changing role of the brokers will be discussed in the next section.

II. Brokers

In the past, recruitment agencies in Thailand were regulated under the Recruitment and Job-Seekers Protection Act B.E.2528. However, that law mainly focused on the regulation of outbound employment and regulated the recruitment agencies who were sending Thai workers to work overseas. The law had inadequate regulations for recruitment agencies conducting inbound employment (ILO, 2013). It was not until 2016 that the Thai government introduced the Emergency Decree on Recruitment of Foreigners to Work with Employers in Thailand, B.E. 2559. The law specified the regulations for bringing migrant workers from neighbouring countries to work in Thailand. Only two methods were allowed, authorised agencies or the employers.

Authorised agents must be registered as a limited company or a public company. The application for a licence from the Department of Employment (DOE) must include a deposit of at least 5 million baht. Additionally, the company must also register its specific employees and subcontractor businesses are not allowed to apply for a licence.

It is worth emphasising that the law has not addressed the services that the agencies are allowed to implement to import migrant workers. However, such services are addressed by two notifications from the Department of Employment.

- 1) Notification of the Department of Employment regarding the specifications in the contract for bringing foreigners to work with domestic employers: The contract between an agent and an employer for importing workers must specify the scope of the services. For example, the recruitment, the number of workers, nationality, location of

employment, the services relating to the transit of the worker, transportation, accommodation, and facilitation. The agent can indicate the service charge and operational cost to be charged to the employer.

2) Notification of the Department of Employment regarding the rate of the service charge and expenses for importing migrant workers: The service charge means money or other benefits given to the agent in return for importing the migrant workers. The expenses are the costs incurred in the operation of bringing workers to the employers. The agent can charge a service fee to the employer that is no more than 25 per cent of the worker's salary, but expenses can be charged according to the actual costs. The notification addresses the type of expenses that the agent can charge to the employer as follows:

- Expenses that the law indicates are to be borne by the employer.
- Document expenses such as document preparation, notary fee, translation fee.
- Expenses for bringing the worker to work with the employer, including transportation costs, food, and accommodation.

However, the agent cannot charge some expenses to the employer, including the personal expenses of the worker, and the expenses that the law requires the worker to be responsible for. Some examples of such expenses are expenses incurred in the country of origin and the health examination fee.

According to the above notifications, it can be seen that although the Emergency Decree is not specific regarding the scope of services allowed for the agents to operate, the notifications demonstrate the services that the agent can provide. They include recruitment services, document services, services on transit and delivery of the workers to the employer, and the services to repatriate the workers at the end of the employment contract. Also, the employer must sign a contract to hire the agent to do the recruitment as well as paying them both the service fee and expenses.

However, in 2017, the Thai government abolished the Working of Aliens Act, B.E.2551 and the Emergency Decree on Recruitment of Foreigner to Work with Employers in Thailand, B.E. 2559. The essence of both laws was incorporated into a

new law, named the Foreigners' Working Management Emergency Decree B.E. 2560, then shortly after that, the Thai government amended the law again in 2018.

According to the Foreigners' Working Management Emergency Decree B.E. 2560, Revision B.E. 2561, the importing of migrant workers into the country can still be by one of two methods, which are via authorised agents or the employer. The additional regulation is that the employer must not operate a subcontracting business. This regulation indicates that the Thai government seeks to exclude subcontractors from the operation of the migrant worker recruitment process, due to the concerns that subcontractors tend to recruit a number of workers from their country of origin but fail to inform them of the exact type of work before they decide to migrate. There have been several cases where the subcontractors recruit workers and bring them to Thailand but cannot provide them with a job or just abandon them. The government tends to see such behaviour as a risk for human trafficking. Therefore, the regulation requires that both the agent and employer must specify the full working details of the worker and submit them to the DOE before bringing the worker into the country.

Considering the law, the types of brokers can be categorised into three, namely authorised agencies, informal agencies, and subcontractors.

Authorised recruitment agencies

Authorised recruitment agencies refer to brokers who are legally registered and have a licence provided by the DOE. According to data from the Foreign Workers Administration Office as of 30 April 2020, 240 Thai companies have a licence from the DOE. Also, several agencies provide exporting worker services from the country of origin to Thailand, including 139 Myanmar agencies, 89 Cambodia agencies, and 31 Laos PDR agencies. These types of brokers can operate all the process of overseas worker recruitment, ranging from bringing the worker from the country of the origin, handling the document process, delivering the worker to the employer through to repatriating worker. However, an authorised agency disclosed that the recruitment process is not only overseas recruitment but also domestic recruitment. Regarding domestic recruitment, the workers are usually referred by their friends and relatives. The agency can handle the documentation process for the worker so that the worker can return to Thailand as an MOU worker (interview as of 2017). The services of

authorised agencies can be generally found in the advertising on their websites. The services covered are as follows:

- The importing of migrant workers under the MOU process ranges from the documentation process, coordination with recruiters in the country of origin, bringing the workers into the country, delivering the workers to the workplace, and repatriating the workers.
- Document renewal services and relevant documenting processes include applying for a passport, nationality verification, adjusting the legal status of the workers, renewal of work permits, renewing visas, and 90-day reporting with the immigration office.
- Migrant worker management services in the factory as a human resource department (a semi-subcontractor): the agency can provide comprehensive services to cover the employment period. The services include checking the accommodation, communicating with workers, payroll and social security, opening bank accounts, monitoring the document due dates, and providing transportation and accommodation.

Informal agencies

Informal agency refers to brokers who are not legally registered. According to Verité (2019), the study categorises the informal agencies into two types, informal agencies or labour brokers, and subagents or village-level agents.

- Informal agencies or labour broker are brokers that do not obtain a licence but provide services for workers to access the MOU process or migrate to Thailand such as operating the documentation service and passing the documents to the authorised agency or facilitating the transit service.
- Subagents and village-level agents are brokers in the country of origin or the village of the workers. For example, in Myanmar, a broker in the workers' village will coordinate and refer the workers to the broker in Rangoon, who are authorised agencies or maybe informal agencies who facilitate the migration channel for the workers.

Subcontractors

Generally, according to section 11 of the Labour Protection Act, the law indicates the role of a labour contractor as having responsibility equivalent to an employer. However, the role of subcontractors in the migration industry is perceived as relating to human trafficking. Such perceptions lead to the exclusion of subcontractors from the migrant workers employment process, as mentioned in the above section. Therefore, subcontractors are currently not allowed to operate their business with migrant workers either as an agency or an employer.

The growing number and types of migration brokers not only demonstrates the growing migration industry but also reflects a non-linear migration pattern. It shows that migrant workers do not migrate from the country of origin to the country of destination in a linear direction. The workers tend to jump in and out several channels through several mechanisms. The brokers play a crucial role in facilitating the workers' access to legal and illegal channels as well as changing their employment.

3.4 Summary

In this chapter, I aim to answer the question of how the migrant worker management regime and mobility infrastructure have shaped the mobility of migrant workers. I begin by presenting the macro view of the migrant worker management regime to point out its configuration in each era and the movement of the migrant population along with the regime. Then, I examine two particular dimensions of mobility infrastructure, including regulations and brokers in order to understand how these components have been subject to change by the adjustment of the regime.

First, the policy dynamic of the migrant worker management regime in Thailand can be distinguished and conceptualised into three phases: (1) 1992 – 2000, (2) 2001 – 2013, and (3) 2014 – 2020. The rationale of the policy is inconsistently configured over the period. The mobility of migrant workers is subject to regulation by the changing of the policy. In the first, period the flow of migrant worker was considered as a threat to national security. The policy reflected the priority of blocking the flow of workers. In the second period, the government changed the

rationale to control labour mobility from limiting the flow to harnessing it in order to nurture economic growth. The policy priority seemed to change once again when the military junta became the government. The government established several new rules and regulations to rigidly control not only the workers but also employers and brokers.

Second, the configuration of the migrant work management regime affects the mobility infrastructure, especially regulations and brokers; however, the findings in this chapter did not demonstrate the effect on social networks by the way the regime is configured. The amendment of the regulations is subject to change with the configuration of the regime. The legislation in the later period directly affected the migrant worker recruitment industry. Some types of brokers were authorised to legally recruit and bring migrant workers to work in the country, but ever since authorised agencies were created, informal agencies and illegal agencies also emerged. However, the regularisation of brokers led to a boom in the migration industry. Consequently, the mobility infrastructure is subject to change by the configuration of the regime through its regulatory and commercial dimensions.

Third, the final section show that the regulations and brokers play a crucial role in terms of the mobility infrastructure of migrant workers. The regulations create a mobility channel for migrant workers and the brokers make mobility possible.

However, this chapter cannot demonstrate how such mobility infrastructures are actually functioning. It is worth emphasising that the functions that the infrastructures are operating, do not have to be the same as they are publicly exhibiting (Harvey et al., 2016). In order to disclose the functions of the infrastructure, I focus my attention on the action of migrant workers through their mobility practices. In the next chapter I explore the interaction between migrant workers and the mobility infrastructure.

CHAPTER IV

MOBILITY PRACTICES OF MIGRANT WORKERS AND THE POLITICS OF MOBILITY

4.1 Introduction

In this chapter, I describe the mobility practices of migrant workers from Myanmar who are living in Thailand. I pay attention to the interactions between mobility practices and the migrant worker management regime as mobility infrastructure. Approaching through the mobility practices, I also aim to disclose the politics of mobility that are expressed through the interactions of Myanmar migrant workers and the regime. According to Tim Cresswell (2010), he suggests looking into three dimensions of mobility, including the production of mobility, the representations, and practices. As presented in Chapter III, the representation of low-skilled migrant worker is impressed in Myanmar migrant workers through the classification of migrant workers management regime. Therefore, I am interested in examining how such representation affects the mobilities of the migrants, especially concerning their outcomes and practices. Regarding the data collection, I also borrowed the questioning method of Cresswell (2010) to examine the minor components which performed in the mobility practices of the workers. The components include experiences, speed, motives, route, rhythm and friction.

The data in this section was collected through in-depth interviews, structured interviews, and focus group discussions. Because I focused on mobility across space and time, I did not employ the data collection method as using in area-based studies. Although most of the informants live in Samut Sakhon during the period that I conducted the interview, the data show that they used to stay in many places in Thailand. I also collected data from other areas, apart from Samut Sakhon, such as the case of Nu Tin and some focus group discussions in Bangkok, because I aim to explore some conflict in the specific case. As mentioned in Chapter II, I have two rounds of conducting data collection for this study. The first round is in 2017 and the second round in 2020. However, my analysis is not affected by time differentiation

because I focus on the life story of each informant regarding historical lifespan rather than specifically focusing on their current situation. Lastly, I employ the stories of eight informants and three groups discussions for composing the case studies in this section. The cases were studies to examine three aspects of mobility practices. The first aspect is the cross-border movement and documentation system. The second aspect is job mobility patterns. The third aspect is mobility outcomes. It should be noted that the informant names are pseudonyms for privacy and safety reasons. The list of informants is as follows.

Table 7 List of Informants

No.	Name	Sex	Age	Year of migrating to Thailand (total years)	Number of Job changed	Location
1.	Thidar	F	38	1999 (21 years)	7	Samut Sakhon
2.	Aow	M	32	2015 (5 years)	4	Samut Sakhon
3.	Saw	M	35	2003 (17 years)	N.A.	Samut Sakhon
4.	Saya	M	38	2013 (7 years)	3	Samut Sakhon
5.	Nwe	F	33	2005 (15 years)	14	Samut Sakhon
6.	Paisu	M	26	2013 (7 years)	8	Samut Sakhon
7.	Ma Yi	F	59	1997 (23 years)	4	Samut Sakhon
8.	Nu Tin	F	20	2018 (2 years)	3	Samut Prakarn

Table 8 List of Focus group discussions

No.	Case	Number of informants	Location
1.	Wrongful dismissal group, HS	7	Bangkok
2.	Wrongful dismissal group, WD	5	Samut Sakhon
3.	Wrongful dismissal group, PK	5	Bangkok

4.2 Case Studies: The Interactions of Mobility and the Regime

I. Cross-border Movements and Documentation System

In this section, I examine the cross-border movements of migrant workers from Myanmar to understand how their mobility interact with the migrant worker management regime. I begin by focusing on the first journey of the informants from Myanmar to Thailand. The question aims to investigate the experience of migrant workers to portray the change over time. Case studies show that illegal entry into Thailand can be possible by involvement of the broker. Moreover, several informants show an involvement of the police officers that play a significant role in facilitating the move of undocumented migrant workers. However, when relying on a broker, migrants have to avoid taking a straightforward path. The routes are usually full of difficulties and danger. There is much stopping, hiding, and waiting. The duration of the journey is unknown and extended. Such journeys reflect the fear of the migrants who undergo such moves.

Undocumented journey: The cases of Thidar, Aow and Sandar

Thidar

Thidar's first journey from Myanmar to Thailand was in 1999. It started in her hometown, Mudon Township, Mon State, Myanmar, and ended at a destination in Thailand, a workplace in Mahachai District, Samut Sakhon Province. The trip was arranged by brokers. Thidar said that "The brokers had network in our hometown for gathering people and bringing them together to Thailand. After crossing the border, there would be the brokers waiting for us to render the transportation and send us the workplace".



Figure 17 Thidar's first Journey from Mudon to Mahachai

Thidar together with her elder sister and 50 companions began the journey together. They took a road trip from Mudon to a southern town, called Ye. However, before reaching Ye, they encountered three military checkpoints. The first and the second checkpoints let them pass, but she felt that the soldiers suspect them because many companions are women and children. Eventually, at the third checkpoint, the soldiers arrested them and had them stayed overnight at the military checkpoint for three nights before escorting them back to their hometown, Mudon. However, right after reaching Mudon, the broker brought them to the opposite route. They went up north to an adjacent port town, called Mawlamyine. At the seaport, the broker rendered a boat trip for them to Kawthoung, a town located in the southernmost part of Myanmar. The boat trip took another two days. At Kawthoung, they were transferred to a small boat. They landed at a port in Ranong, the southern province of Thailand. Then the broker prepared a pickup truck to send them north to a workplace in Mahachai, Samut Sakorn, a province in the central region located nearby Bangkok City. She said that “right after reaching Mahachai, there also another broker delivered them to a shrimp peeling shop. The broker arranges them some necessary item, and accommodation”.

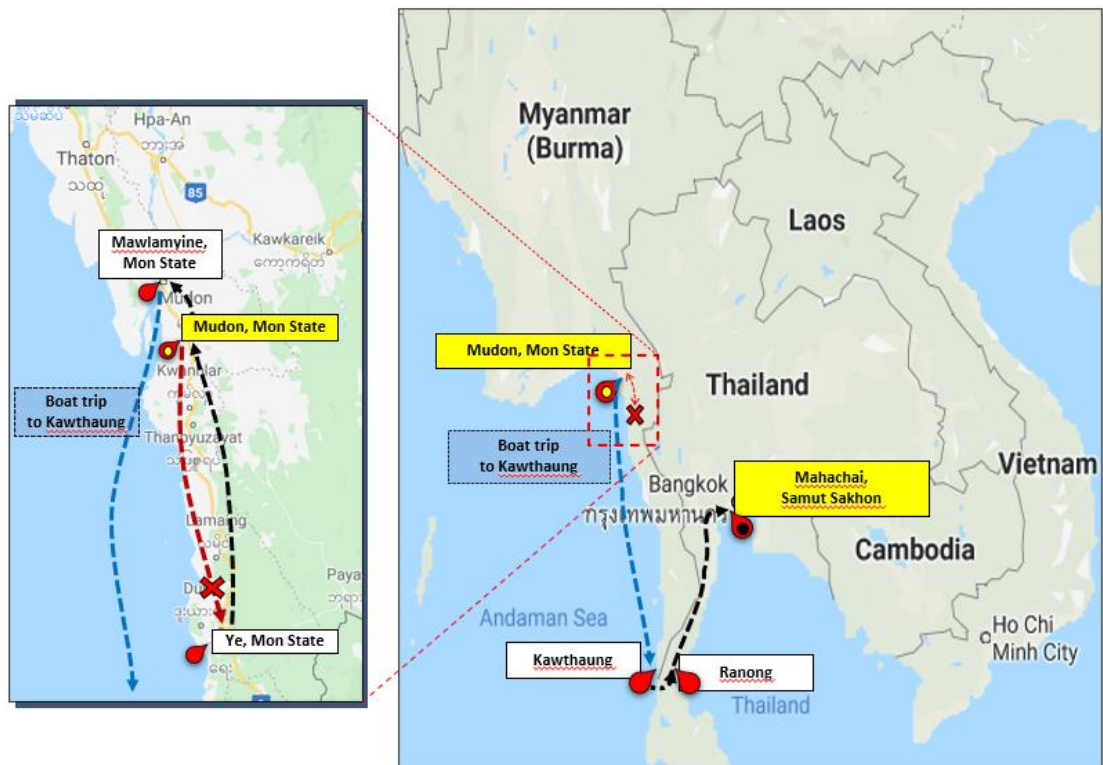


Figure 18 Routes of Thidar's first Journey from Mudon to Mahachai

The data from informants demonstrate the act of moving in and out of the country, even though the informants were undocumented migrants. Likewise, their movement discloses the crucial role of brokers and government officials in facilitating the movement as well as extracting the benefits from the mobility of the undocumented migrants.

Thidar has worked in Mahachai since 1999, yet around 2005, after working there for six years, her mother got sick. She had to return home in Mudon for taking care of her mother. Instead of taking the same route, she managed to take a shorter direction. Her father, who also lived in Mahachai at that time, contacted a broker to manage the return trip. She was transported by a van. It was around 10 p.m. when the van departed from Samut Sakhon. She reached Mae Sot, a border town in the northern region of Thailand around 6 a.m. However, before reaching the border checkpoint, the van was inspected by the immigration officers. The officers told her that they would arrest her and let her go at the border. The van was escorted by the officer's vehicle to the immigration office. Then they were transferred to the vehicle of the immigration

office. The officers brought them to the river edge, where she took a small ferry to Myawaddy, a border town in Myanmar.

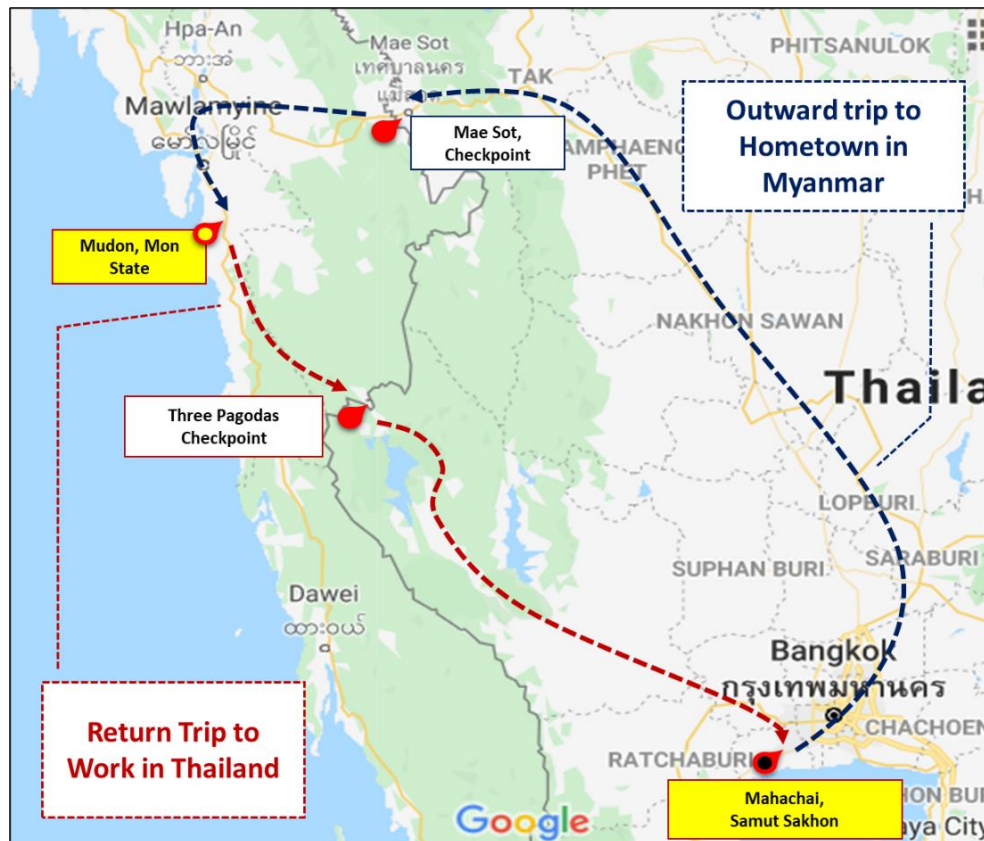


Figure 19 Thidar's Trips between Hometown and Workplace

A broker was waiting for her at another side of the river. Yet, the broker brought her to a military checkpoint in Myanmar. The soldier inquired her several questions, such as where have you been? Where did you work? Did you been arrested? She said that she had to tell the soldier that she had been arrested, even though she was there because of the broker. The broker told her to say so. Otherwise, they would get in trouble. Then the broker brought her to a house for having a rest for one night. The broker's house located up on the hill in the same town where she just arrived. Next morning, she left the house at 6 a.m. She arrived in her hometown, Mudon, around 10 p.m. She said that "the road was extremely poor condition in the past such that it took me the whole day. Actually, the distance is not really far. Nowadays, the road is better. It took only 3–4 hours for that course". Around three

months, her mother got better. She decided to get back to work at the same place in Mahachai again. However, again, the route to return Thailand was not the same as previous routes.

For the return trip to Thailand, her father also contacted a broker to arrange her a trip. The broker picked her up at the house by a pickup truck. This time she took a road trip to Payathonzu town in Kayin State where is the location of the Three Pagodas checkpoint. After crossing the land border around the checkpoint, the broker accommodated her for a place where she had to wait around 7–8 days for gathering more companions. Then one night, a pickup truck came to take everyone. She said, “we had to lied down and piled up in the back of the truck to load as many as it can”. During the ride, she heard someone told her that there was a police checkpoint. Then the truck stopped. Everyone ran into the wood and climbed up on the mountain for hiding. She hid in the woods until dawn and heard a noise like gunshots followed by the shout of a Thai officer calling everyone to show themselves. She said she was too scared to come out. Hence, she remained hiding with some others. For a while, someone disguised as a shepherd called for her to come out. It was the broker. He told her that he had just bailed everyone out. It cost around 2,000 baht for each person, and it was fortunate that she did not get arrested too. Then the broker took her to a tent in a small village located nearby riverside. She stayed there for two more nights with her companions. After that, one evening, a police officer brought a vehicle to take everybody. Although the police did not wear a full uniform, she thought his character, plant, and shoe look like the police. Indeed, she noticed that the vehicle screened the police logo. Finally, after they were transferred to a van in a cassava field once, the van delivered them to the destination in Samut Sakhon.

The cross-border journeys of Thidar were operated through different routes every time. The first time she took a boat from Kawthoung to Ranong in the south of Thailand. The second time she took a ferryboat for crossing Mei river in northern Thailand. The third journey she crossed the border near the Three Pagodas checkpoint, which locates in Kanchanaburi. Although brokers facilitate all three trips, their practices were performed differently, especially concerning the route, duration, difficulties, risk as well as the involvement of government officials.

Aow and Sanda

The case of Aow and Sanda is another case demonstrating the journey of undocumented migrant workers. It shows that while broker and government officials extract the benefits from workers' mobility, migrants also utilise them as rule and resources for facilitating their mobility.

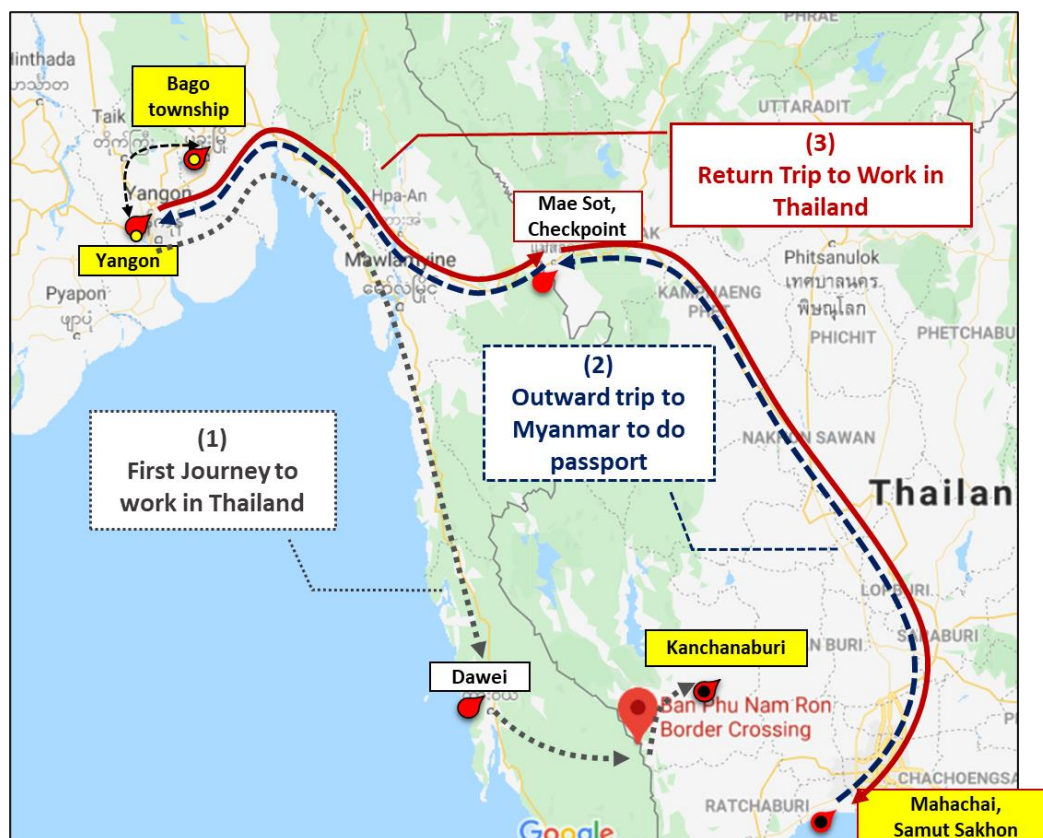


Figure 20 Aow's Trips from Bago Township to Mahachai and Return

Aow and Sanda is a married couple. They travelled to Kanchanaburi in 2015. Their journey started in Bago Township, an old town near Yangon. They left their hometown to meet a broker in Yangon. Then the broker rendered a road trip to Dawei and brought them to cross the border around Ban Phu Nam Ron checkpoint in Kanchanaburi province, Thailand. After crossing the border, they had to walk through the wood, during the night, for eight hours. They eventually found a small village almost dawn of another day. At the village, the broker took them by a pickup truck. Aow said the broker had them lie down in the back of pickup truck to pile them up.

The truck brought them to an abandoned house. They waited until a car came to pick them up. However, on the way to the destination, the car was stopped by the police. They were arrested and escorted to the police station. The broker bailed them out. The broker told them that she paid 8,000 baht to the police. Finally, they were delivered to the workplace, which was a dried fruit factory in Kanchanaburi.

After Aow and Sandar being the undocumented workers in Thailand for almost two years. The Thai government strictly enforced the regulation regarding the paperwork of migrant workers. The workers were encouraged to return their home countries to issue a passport and undergo the employment process under the MOU on labour cooperation between Thailand and Myanmar if they still want to work in Thailand. It was the same period that Aow and Sandar acquired a new job. Their employer support half of their paperwork expense. They decided to return Myanmar to get passports and come back to work with that employer. However, because they were smuggled into Thailand, they did not have any identification or work permits. Thus, they contacted a broker to manage their trip from Thailand to Myanmar.

The broker charged them 2,800 baht for a trip from Samut Sakhon to Yangon. It should be noted that the fee quite low compare to others. On the travel day, the broker rendered a van for them. The van sent them to the immigration office in Samut Sakhon. The immigration officer recorded their information and kept their fingerprint. Aow said, “the police did not much interrogation. Also, it did not take too much time. After finishing the inquiry, the police took us to their vehicle. The immigration’s vehicle brought us to Mae Sot”. At Mae Sot, they were taken to the detention for about an hour. Then the officers took them to a river port where they could cross the river to the Myanmar side. Right after they cross the river to Myanmar, the broker was waiting for them. The broker took them to Yangon. They underwent the passport issuing process for three months. During that period, they returned to their hometown and waited for the document. Then when the passport finished, they underwent the employment process according to the MOU and return to work in Samut Sakhon, Thailand.

The journey of Thidar and Aow, who were smuggled into Thailand, involved a route full of difficulties and risks. It took an unexpectedly long time. They had many unexpected stops. The journey was full of uncertainty. It is worth noting that both

brokers and government officials play significant roles in managing such movement. Moreover, although Thidar may demonstrate the journey across the border in the past, Aow's journey is a relatively new journey which happens in 2015. Therefore, it cannot be argued that such patterns are too old to consider. Besides, some mobility patterns are combinations of smuggling and legal travel. The above information demonstrated the technique of the broker that incorporate the deportation mechanism into their service to take the worker back to their country. It can be seen that all players utilise the system as resources for supporting their purpose.

Semi-documented journey: The cases of Saw and Saya

Saw has been in Thailand since 2003. His route to Thailand demonstrated different technique from Thidar and Aow. He said that “everything is legally managed at the first place. When I crossed the border, it was legal. I crossed the bridge as normal. I have a border pass for visiting Mae Sot. Yet, until the broker brought me up on the hill and brought me down from the hill, I became an illegal person”. Saw applied for the border pass document for crossing the border. However, he had already contacted a broker and agreed to meet him at Mae Sot Hospital. The broker brought him to work in Bangkok. The broker brought him to a transit point in the woods where two dump trucks were waiting for him and others. He was loaded in one of the trucks, hidden with dirt, and covered with canvas with several of his companions. He remembered that he could not breathe and thought that he would certainly die. The truck was running for a while before it was pulled over. The driver told everyone to get off the truck and hide. He ran into a wood nearby the road and kept hiding in there. After that, the truck returned to pick him up and sent him to a house. He was amazed that the house is full of people. He thought it might be up to 400 people in the house. After that, the broker arranged for a pickup truck to pick him up and sent him to Bangkok.



Figure 21 Temporary Border Pass and Temporary Passport

The journey of Saya demonstrated a different technique that was employ for moving from Myanmar to his destination in Thailand although there are some similarities regarding the application of the document for facilitating the cross-border movement. Saya has moved into Thailand since 2013. He paid the broker 18,000 baht for issuing a temporary passport (the purple one). Yet, to get such a document, he had to apply for employment under the categories of low-skilled worker such that he could get a visa and work permit. His work permit indicates that he was employed by a garment factory in Mae Sot, Tak province. After issuing all required documents, he could get into Thailand through the proper way under the immigration law, as well as the law regarding the employment of foreign workers. In fact, he did not intend to work at Mae Sot. He wanted to visit his boyfriend in Mahachai, Samut Sakhon and work there during the visit. Thus, he made a deal with the broker to send him to Samut Sakhon after crossing the border. The broker did so right after he got to Mae Sot. Luckily, he had a smooth journey from Mae Sot to Mahachai. He did not face difficulties during the journey and reaching Samut Sakhon with safe and sound.

The journey of Saw and Saya illustrate the different pattern from the journey of Thidar and Aow. Although Thidar and Nume were illegally smuggled into the country, Saw used the proper channel when travelling into Thailand. He had a border pass to visit the border town, yet the document only allowed him to stay in Mae Sot.

His illegal move, therefore, occurred after he moved out of Mae Sot into Bangkok. On the contrary, Saya employed another technique. He paid for a temporary passport and a work permit. The temporary passport allows him to travel to other areas outside Mae Sot, but his work permit indicates the workplace as a garment factory in Mae Sot. Accordingly, his travel from Mae Sot to Samut Sakhon is legal, yet his illegal move occurred because he applied for a job in Samut Sakhon and his employer accepted him without issuing a new work permit.

Moving by the documents: The case of Thidar, Paisu, and Saya

Since 1992, Thailand has been changing the documentation system for migrant workers periodically. Beginning with the domestic registration process and issuing identification documents, such as Tor Ror 38/1 and Pink Card, for a migrant who illegally enters the kingdom, the process changed to an international collaboration process under the MOU between Thailand and neighbouring countries. The temporary passport and certificate of identity are created for the party nations. In the latter period, the process moved to an international employment process. Migrant workers are encouraged to return to their home country to undergo an employment process together with issuing an identification document and revisit Thailand if they still want to work. The case of Thidar well demonstrates such change. During her 21 years of working in Thailand, she went through all the processes in each period.

Thidar said that while she was working in the first factory, she has no documents. Although her employer collected her money for issuing her the documents, she had never got such documents. Then when she moved to another factor, the employer collects her money for the paperwork again. This time was called to the Provincial Office of Employment (POE) for issuing a Pink Card. Yet, the employer kept her card and gave her only its copy. Later, she moved to another factory. She did not request the card from the former employ because her friend told her that the later factory received an undocumented worker, so she did not need to be worried about the document. Once the factory hired her, she was requested to undergo the same process again at the POE. She received a new Pink Card. Her personal information on the card remained the same excepting the employer name on the back of the card.

During the period that the government open the Nationality Verification process, Thidar was working in a seafood processing factory. She already has a Pink Card. Yet, the factory arranged a bus for workers to go through the Nationality Verification process in Ranong. It took one night for travelling. The process took only one day. She returned to work on the next day.

Thidar was working at another seafood processing factory in Samut Sakhon when the government encourage migrant workers to undergo the MOU process. She said that the factory arranged the air-conditioned buses for the workers. The bus took her from Samut Sakhon to Mae Sot. At the border, she transferred to another bus which took her to Yang Gon. She went through the process for issuing a passport book and return to the factory in Samut Sakhon. Around one month later the passport finished, the factory arranged her a bus again to pick up the passport book at Myawaddy. She took the passport, went through the training process, and return to Samut Sakhon.

According to the case of Thidar, it can be seen that the mobility pattern of worker has changed over time. At the first period, worker travel to do the paperwork in the area where they work. The second period, they were encouraged to travel across the province to undergo the nationality verification process by the government officials of the country of origin. In the third period, an international cooperation employment process becomes the main channel for recruiting migrant workers. Migrant workers who have already been in the country are encouraged to return to their home country to go through the document process and return to Thailand once again if they still want to work.



Figure 22 Thidar's Documents

Besides, several informants disclose that in the past, the document system was not very strict. Many workplaces accept undocumented workers to work at first.

Pai Su said that he went to a fishing job in Pattani province when he first arrived in Thailand because he was undocumented and that people travelling with him also get on the fishing boat. Likewise, Thidar who started working as a shrimp peeling contractor in Samut Sakhon because the employer did not need an identification paper to apply for a job.

Although some workplaces accept undocumented workers to work, there are some differences among such workplaces. Some employers accept the undocumented workers at first, and later they would undergo the paperwork for the workers while others decide not to do the paperwork for the workers but collect the money from them to bribe the police. Yet, some employers collect the money from workers for the paperwork, but they did not do it.

Thidar told that each time she changed her job, it would cost her for the paperwork. Sometimes her employer collected the money from her for issuing a document, but she did not get any document from the employer. Sometimes the employer only let her keep the copy so that she had to renew it when she moved to another job.

Saya is another different case. He started working in a furniture factory in Samut Sakhon as an undocumented worker. He had a temporary passport (purple) and

work permit. He paid for such paperwork to the broker before he moved to Thailand. Therefore, his documents indicated the employer as a garment factory in Mae Sot albeit he did not really want to work in Mae Sot. After he crossed the border, he directly moved to Samut Sakhon. Unfortunately, when he applied for a job in Samut Sakhon. Instead of renewing his documents or changing the employer name, his employer accepted him to work, but as an undocumented worker. Every month, the employer deducted him 1,000 baht for bribing the police. Yet, it could not protect him when the immigration officials raided the workplace for searching illegal workers. He had to run away and hide in the wood.

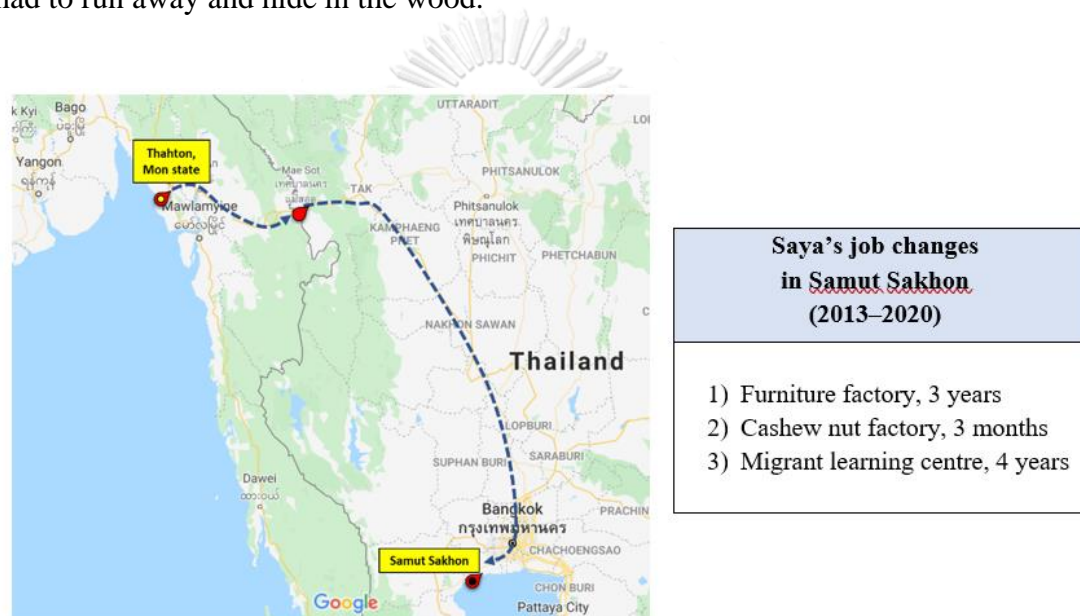


Figure 23 Saya's Journey and Job Changes

After the furniture factory started being inspected by the police often, he decided to leave the factory and contact a friend to help him with the paperwork. His friend worked at a seafood processing plant as a subcontractor employee. The subcontractor, which is an employer of his friend, is also a police officer. Therefore, he paid 7,500 baht and finally got a Pink Card. He applied for a new job at a cashew nut factory. However, he found that the card he received was a card for working in the seafood processing sector. It could not apply for the cashew nut factory. However, the employer accepted him to work. He worked in that factory for only three months and found that there is a new migrant learning centre opened in Samut Sakhon. He, therefore, applied for a job as a teacher and has been teaching since he got the job.



Figure 24 Saya's Documents

Sometimes the rhythm of changing employment was aligned with the period of renewing the documents. Thidar disclosed that she had once moved to another job at the time her documents were going to expire. She took that opportunity to move to another job so that she did not have to pay multiple time for the documents.

The data above shows that the changing job of migrant workers is tied to such documents. Paperwork increases the cost of mobility for workers, especially job mobility. However, albeit the mobility of the workers is tied to the system of identification documents, it was not only the government regulation that limited the movement of the worker but the employer as well. The employer plays a significant role in opening or closing the channel of mobility for the workers while the government official also tries to reap the benefit from workers' mobility. It seems that the migrant management system, which is adhered to the documentation system take it for granted the negotiation power between worker and employer in the employer-employee relationship.

In summary, the cases of Thidar, Aow, Saw, Saya and Paisu demonstrate at least three aspects regarding their mobility practices, namely the routes, the change of infrastructure and the movement documentation system. According to Tim Cresswell (2010), the production of movement and practice of mobility are usually surrounded by the representations. The stories of the informants demonstrate the extremely

different routes even though they were operated by the same person on the same origin and destination. It shows that, whether it is legal or not, the channels for cross-border movements seem to be provided. The provided channels were also involved by varied agencies. It is worth considering the affordability of migrant workers to access different channels because such accessibility would lead to distinct experiences of mobility.

The data also shows that while the regulations create some specific channels for moving across the territory, other routes remain. Interestingly, the appearance of various routes is not demonstrated as a dichotomy between legal and illegal. The route was provided in the continuum of legality. Some paths of movement are operated through the licit system while in others, the migrants move through the route outside the authorised pathways. However, although the mobility is operated through an illegal channel, the involvements of the officials repeatedly appear. It reiterates the argument of Giddens (1984) that while the rules are shaping human behaviour, various actors also utilise the rules to perform their actions in various ways depending on their intention and capacity.

Besides, the journeys of the informants also reflect various forms of infrastructure, such as roads, sea lanes, checkpoints, documentation systems, broker networks, social networks, government officials and regulations. It demonstrates that infrastructure is not isolate functioned. Instead, infrastructures operate as ties for mobilising people from place to place (Sangkhamanee, 2017). It is worth noting that the changes of some infrastructures lead to changes in others. For example, the late period of the documentation process would not be extensively operated if it was not support by the development of transportation infrastructures. The process requires migrant workers in Thailand who have incomplete legal status to return to their home country to be issued identification documents before they can return for work. The process is also supported by other infrastructures in the country of origin of the workers, such as the bureaucratic system and broker services. Such dynamics also reiterate the configuration of the migrant worker management regime described in Chapter III.

Furthermore, the movement of the documentation process can be determined as friction on the mobility of migrant worker as well. According to Tim Cresswell

(2017), friction stems from the movement of others whether in the opposite or the same direction. The document system also moves through the timespan. Consequently, the configurations of the documentation system also affect the movement of migrant workers. For example, the case of Thidar demonstrates the rhythm of mobility in correlation with the change of document.

II. Job Mobility Patterns

Thidar

Thidar has lived in Thailand for 20 years. She has worked in several places in the seafood sector in Samut Sakhon. She began with contractor labour for peeling shrimp in a small shrimp peeling factory to be a factory worker in a seafood processing factory in Samut Sakhon. Thidar has moved around seven jobs. The period of working in each place, varying from one year to nine years. All her workplaces locate in Samut Sakhon. She usually moves to live near the workplace so she can conveniently commute to work. Her mobility reflects her various motivations, such as the desire for improved benefits, income and working conditions. Her movement also reflects the role of the social network, broker, and the rhythm of movement that relate to the rhythm of the renew document period.

Table 9 Thidar's Job Changes from 1999 - 2020

Thidar (1999–2020)	
•	<i>all in Samut Sakhon</i>
1)	Shrimp peeling shop 1 year
2)	Shrimp peeling shop 2 years
3)	Seafood processing (plant A) 3 years
4)	Seafood processing (plant B) 2 years
5)	Seafood processing plant 3 days
6)	Seafood processing plant 4 years
7)	Seafood processing plant 9 years

Nwe

Nwe came from Karen province in Myanmar. She followed her brother to work in Bangkok. She began by working in a tread factory. After a few months, she moved to work as a domestic worker in a house located in the other area of Bangkok. The first house locates in Phet Kasem district. The second house is in the Sukhumvit area. She faced with the employers who badly treated her and her sister. The employers cheated her wages. She had to work more than 12 hours, and they do not provide her with a private space for resting. She fled from those housed and return to work at the thread factory again for two years. Then Nwe moved to a seafood processing factory in Samut Sakhon because the latter factory paid her higher benefits. She worked at the seafood processing factory for two years and moved again because she found an opportunity for housekeeper work. She decided to be a housekeeper because it provided her accommodation and food such that she could remit most of her salary to her mother in Myanmar. However, she often changed her workplaces. For 15 years, she moves around 15 places. Although she only worked in some places for a few months, she worked for two to three years in others. She moved to several areas across Bangkok, including Aom Noi, Phet Kasem, Sukhumvit, Bobae, Pinklao, Rachapruerk, Rama 9 and other provinces. Also, sometimes she travelled with the employers' family to many places such as the department store, and the sea. Her husband lived in Samut Sakhon. She frequently went to Samut Sakhon to visit her husband. She also travelled back to Myanmar to give birth to her children and took care of her mother for several months. Her mobilities are driven by various motives such as changing job, flee from the bad working condition, finding better economic opportunities, revisit the family.

It is worth noting that, as a housekeeper in a private house, Nwe is difficult to be monitored by government officials. Her employers normally did not request documentation from her. They also usually did not collect the money for issuing the documents. Therefore, even though she skipped too many jobs, but they have not cost her much of the money for paperwork.

Table 10 Nwe's Job Changes from 2005 to 2020

Nwe (2005–2020)	
1) Thread Factory, Aom Noi, Bangkok: 2 months	8) Housemaid, Pinklao and Rachapruek, Bangkok: 2 years
2) Housemaid, Phet Kasem, Bangkok: 6 months	9) Housemaid, Bobae, Bangkok: 6 months
3) Housemaid, Sukhumvit, Bangkok: 3 months	10) Housemaid, Mahachai, Samut Sakhon: 7 months
4) Thread Factory, Aom Noi, Bangkok: 2 years	11) Housemaid, Rama 9, Bangkok: 7 months
5) Seafood processing plant, Samut Sakhon: 2 years	12) Housemaid, Rama 9, Bangkok: 11 months
6) Housemaid, Bobae, Bangkok: 4 years	• Return Myanmar 5 months
• Return Myanmar 5 months	• Return Myanmar 6 months
7) Housemaid, Bobae, Bangkok: less than a month	13) Housemaid, Bangbon, Bangkok: 3 months
	14) Housemaid, Mahachai, Samut Sakhon

Pai Su

Pai Su, 26, travelled from Rakhine. He has lived in Thailand for seven years. He moved more than seven times across areas and job sectors. After being a fisherman in Pattani for eight months, he moved to a rubber sheet factory in a southern province. After that, he worked in a garment factory for one month and moved to Bangkok. He spent three months a restaurant in Pratu Nam area and worked in a construction site. He left the construction site and worked in the factory. He changed the factory around every two years from the shoe factory, to steel factory and garment factory.



Paisu (2013–2020)
1) Fishing vessel crew in Pattani: 8 months
2) Rubber sheet shop in a southern province: 9 months
3) Garment factory 1 month in the south
• Moved to Bangkok
4) Restaurant in Pratu Nam: 3 months
5) Construction sites
6) Shoe factory in Bangkok: 2 years
7) Steel factory in Bangkok: 2 years
8) Garment factory in Suksawat: 2–3 years

Figure 25 Paisu's Journey and his Job Changes

These cases demonstrate the intensive job mobility of migrant workers. Several patterns of job mobility are disclosed, such as the move within the same province and across the province, the move across the employment sector, the changing employment together with urban migration, and the move from the informal sector to formal sector and vice versa,

The role of brokers and social networks and negotiation with mobility

The role of brokers and social networks is a major infrastructure that is reflected in the movement of migrant works in Thailand. Brokers and social networks are expressed in various ways, including complementary, substitution, as well as collaboration to make a move to be possible. For instance, they play the role of introducing the new opportunity, being an intermediary to facilitate the moves or connect the workers to access the new job. Below is supporting evidence of the role of brokers and social networks expressed in the job mobility from the case of Aow, Nwe, and Thidar.

The cases of Aow, Thidar, and Nwe

Aow and Sanda have travelled to Thailand since 2015. During five year in Thailand, they have changed the job four times. Each job locates in different areas. Their first job in Thailand is the worker in a dried fruit factory in Kanchanaburi. The second one is a garment factory in Samut Sakhon. The third job is a garment factory in Samut Prakarn. The last one is a door lock factory in Samut Sakhon. They are subject to fleeing from harsh working conditions in each workplace. The moves were facilitated by the broker and their social networks.

The journey of Aow and his wife was managed by a broker since they departed from their hometown to work in Thailand as well when they changed jobs. After reaching Kanchanaburi, the broker sent them to work at a dried fruit factory. Yet, the factory had no available position in the first place. They had to wait for three months. During that period, they need to borrow money from the broker for living expenses. After three months, they eventually got a job. However, it was not expected. Because they were undocumented workers, they had been employed under a subcontractor. The subcontractor deducted some of their wages, so they were paid less than what the broker told them. They feel frustrated and wanted to return home,

but they were in debt with the broker and afraid to be arrested by the police because of the smuggling into Thailand. They worked in the dried fruit factory for four months, but the factory was a raid by the policed frequently. Thus, they ask the broker to move them to another place. The broker sent them to a garment factory in Samut Sakhon. The working condition in the latter factory is even worse. They did not get paid. The employer claim that the broker told him to do so because they were in dept with the broker. Yet, the broker denied. After two months, the broker offers them a new job in Samut Prakarn province. They agreed to move again. Unfortunately, the new employer is worse than the former. The latter factory usually makes a late payment. Their wages were deducted for bribing the police. Also, the employer often abused worker both verbally and physically. They sought to contact their colleague who travelled with them for the first time since they arrived in Thailand. They found that there were available positions in a factory in Samut Sakhon. Finally, Aow and his wife accompanied by five other workers fled from the factory in Samut Prakarn to Samut Sakhon.

Table 11 Aow's Job Changes

Aow (2015–2020)
1) Dried fruit factory in <i>Kanchanaburi</i> : 7 months
2) Garment factory in <i>Samut Sakhon</i> : 2 months
3) Garment factory in <i>Samut Prakarn</i> : 7 months
4) Door lock factory in <i>Samut Sakhon</i> : 4 years

The case of Aow emphasises the role of the brokers in managing the moves. Although the broker allowed them to flee from an unexpected working condition, their move piled up the debt they owed to the broker. The accumulate debt tied them to a cycle of debt-bonded labour to the broker. Moreover, every move they make resulted in the worse working condition they faced. Finally, thank their social networks, they could make a move again to flee from the vicious cycle.

The case of Nwe and Thidar can demonstrate more on the role of broker and social networks in relation to the changing job.

Although Nwe was working in a thread factory in Bangkok, she got a tip from a friend about work in Samut Sakhon. Nwe's friend told her that a factory in Samut Sakhon had an opened position. It was a well-paying job with high overtime pay. Nwe decided to contact a broker to help her with the job application. She said that "there are many brokers and many people apply, so the broker would help to bring her in and help with the application". She accompanied her sister and her colleagues and took a bus to Samut Sakhon to meet with the broker in front of the factory. The broker took them to meet the human resource manager and told him that he brought this group. Everyone got a job. The broker charged them 3,500 baht each for paperwork. The fee includes changing employer fee and health examination expense. After that, they resigned from the thread factory and move to Samut Sakhon.

Likewise, Thidar elaborated on the role of the broker when applying for the job. While she was working in a shrimp peeling factory, her friend told her that there was a large seafood processing factory opening for an application. She, together with her college, decided to apply for the job. She went to the factory and found that there were many candidates. It may reach 200–300 people. She and her friend wait until being the last group on that day. Some workers also decided to leave. Finally, the manager called them and offered a job. She got to know later that brokers helped the workers who got the job first. Brokers could help workers to get the job first to choose a decent position. Yet, the workers would have to pay broker about 6,000 baht for the help, and Thidar only paid 3,800 baht directly to the factory for the paperwork and health examination.

The cases of Nwe and Thidar emphasise the role of the broker in bringing migrant workers to new jobs. On the contrary, having a strong social network can substitute the role of the broker. The difference goes to the cost of job mobility. Because the workers have to bear the expense of the paperwork incurred by the job changing process, the cost would be gradually increased in relation to the involvement of the brokers.

Voluntary and involuntary of job mobility

The case of Thidar, Nwe, and Ma Yi

Many times, the job mobility of Thidar, Nwe, and Aow reflect the voluntary in changing the job. Yet, involuntary is expressed through several of their movement too.

Thidar and Nwe reflect that they moved from one job to another because of the higher payment. Thidar said. “We had worked in the first shrimp peeling shop around one year. Our friend told us that there was another new shop where the employer would give us higher payment rate. For example, instead of paying three baht per kilogram for the peeled shrimp, the new shop would pay four baht because they need more workers to drive its production since the beginning. Moreover, the shrimp was larger size, so it would be easier for peeling. Thus, I together with my colleague around 30 moved to the new shop”. Likewise, Nwe moved from the thread factory in Aom Noi, Bangkok to the seafood processing plant in Samut Sakhon because her friend told her that the latter had more overtime, so she could earn more income.

However, it should be emphasised that moving from one job to another did not affect the base salary of the migrant workers because they were paid the standard minimum wage of Thailand. Therefore, to increase their incomes, migrant workers need to locate themselves in places where they can produce high volumes of products. In the case of Thidar, she received higher payment from the move because she worked as a contract worker. Thus, she would receive money according to the kilogram of shrimp that she could peel. She noted that the former shop was reducing its production at that time, so her income was reduced accordingly. Likewise, Nwe did not move to Samut Sakhon for an increased wage. It was because the factory in Samut Sakhon had higher production. Therefore, she was allowed to work more than she could do in the previous place and she could earn more from the overtime payment while her wage remained unchanged.

Besides, it is worth noting that the migrant workers involuntarily changed jobs in several cases. For example, in case of Thidar, the latter moves, that she moved from one to another seafood processing plant, she did not express her willingness to move at the first place, but the factory cut its production and reduced overtime. Thus,

she needed to find another job. Furthermore, the case of Aow and Saya disclose different conditions. Before moving to the factory in Samut Sakhon, Aow was facing unacceptable working condition for almost a year, including wage theft, physical violence, and being a debt-bonded worker to his broker. Regarding Saya, he was deducted his wage for bribing the police every month albeit it could not protect him from raiding of the immigration officers. When the officers frequently inspected the factory, he could no longer work there and need to find another job.

Forced to move: Subcontractor and wrongful dismissal

Apart from voluntary moves, some migrant workers were forced to move. Three cases below are the wrongful dismissal case, including forced to resign, termination without notice, termination without severance pay, laying off through the subcontractor, and using the expiration of documents to terminate the workers. In this section, I collected specific data using three methods. First, I conducted an in-depth interview with the informant who was facing unemployment because of wrongful termination. Second, I conducted focus group discussions with the groups of migrant workers who were facing such situations. Third, I use data from the labour inspector's order for these specific cases. It should be noted that the all names are pseudonyms for privacy and safety reasons.

Nu Tin and subcontractor company

Nu Tin is employed by a subcontracting company. The subcontractor sent her to work in a battery factory in Pathum Thani. After working in that factor for five months, one day the factory dismissed six workers without advance notice. The next day, she and five of her colleagues were dismissed without advance notice. Yet, she managed to find another job, but the employer requested a document, called a notification of resignation. She did not have such a document. Thus, the employer did not give her a job. Nu Tin could not contact her employer, which was the subcontractor. She moved to Samut Prakarn to live with her boyfriend.

It is worth emphasising that the notification of resignation is not the same as resign letter. Under the MOU process, migrant workers need to have such a document issued by their former employer to submit to the Office of Employment to change the name of their employer on their work permit. Because Nu Tin did not have such a

document, the new employer could not submit her name to the government official for updating her licence. In this regard, if the employer gives her a job, both the employer and the worker will engage in illegal employment according to the foreign workers employment law.

Apart from termination without notice, the case of Nu Tin also discloses the overcharge by a subcontractor. She told that, since the beginning, she paid 8,500 baht to the subcontractor. The fee includes brokerage fee, recruitment fee, and changing employer fee. She paid it by cash and let the subcontractor deducted her salary for two and a half months. Then she had to pay another 5,000 baht for renewing the documents. Besides, because she was employed by a subcontractor, she did not obtain leave day, holiday, annual holiday, and bonus. Her wage was paid by cash from the subcontractor. In this factory, all migrant worker was employed by subcontractors. Only Thai workers were directly employed by the factory.

The layoff case studies

PK Management Ltd. is a subcontractor company hired by Anderson 1984 Ltd. to provide factory workers to Anderson 1984 Ltd. Fifty migrant workers, who employed under PK Management, were dismissed during February to April without advance notice. One of the workers said, “One day the factory showed the list of the worker who were fired. The factory did not even tell us any reason. There were three rounds of termination. For the first and the second round, the factory did not tell us in advance. But, since there was someone filling the complaint to the government official, the third round they told us 15 days before the termination. They told us to sign the resign letter. After laying off, some returned to Myanmar some moved to work in the south”.

Other cases of wrongful termination that reveal additional details regarding the layoff technique of the employer and subcontractor are those of Sunji Ltd. and SV Com Ltd. Sunji Ltd. is a subcontracting company sending workers to the factory of SV Com Ltd. The contract between Sunji and SV Com demonstrates that SV Com can request Sunji to change worker by informing Sunji 30 days in advance. Sunji is responsible for facilitating employment, including renewing work permits, pay roll, overtime payment, and welfare provision.

In the middle of August 2019, SV Com informed Sunji that the factory wanted to return 100 workers back to Sunji within the same month. Consequently, 100 workers were laid off. However, 17 workers refuse to sign the resign letter. The filed the complaint to the labour inspector. The fact shows that the workers were forced to sign the resign letter. Otherwise, they would not receive their final salary. Moreover, the workers disclosed several claims that were used by the subcontracting company to make them sign the letter. Below is the list of such claims.

- Sunji required the workers to renew the documents. The workers would be fired if they did not undergo the renew document process. Yet, the workers claimed that their documents remain valid.
- Sunji required the workers to leave for giving birth. The worker claimed that she was only pregnant for four months, so she did not want to leave that early.
- Sunji claimed that the workers paid their document fee late.
- Sunji was informed that if workers sign the resign letter, then they will be given another position. The new position was that of the toilet cleaner while the former position he worked was in the assembly line. Therefore, he refused to sign.

Finally, the labour inspector found that Sunji and SV Com had inadequate evidence to claim their innocence. Consequently, the inspector ordered Sunji and SV Com to pay compensation to 17 migrant workers. However, it should be noted that the complaint process is complicated and lengthy. In most cases, although the workers manage to file complaints, the case is usually resolved through negotiations between the employer and employee to shorten the complaint process. However, such negotiation would lead to a reduction in compensation.

Importantly, according to the foreign employment law mentioned in Chapter III, it should be emphasised that subcontractor is not permitted to be an employer of migrant workers. Therefore, these cases demonstrated the loopholes in law enforcement according to such regulations.

In summary, the case studies demonstrate the patterns of job mobility, such as

- relocation of workplace or changing position,
- changing work contract (i.e., contractor, daily worker, regular worker),
- changing employment across industry or province,
- changing employment from the informal sector to the formal sector and vice versa,
- moving from rural to urban areas,
- changing employment along with internal migration.

The cases show that the patterns of job mobility do not appear in linear direction and inconsistency. Yet, some cases show that workers tend to work longer period when they move from an informal sector to a formal sector. In fact, the cases reflect involuntary job mobility more than voluntary job mobility because oftentimes, the voluntary moves were caused by the undesired situation in the previous workplace, such as cutting production and reducing overtime payment.

Workers were forced to move in several cases, such as that of Nu Tin, and there were several wrongful dismissal cases. Those cases show that the workers who are employed by subcontractor tend to be laid off easier than the direct contract worker once the employer desire to cut its production. Although subcontractors can be considered employers, the subcontractor plays the role of an intermediary who sends workers to work with the actual employer. Additionally, it should be noted that the foreign worker employment law does not allow the subcontractor to be an employer of migrant workers as discussed in Chapter III. Therefore, the cases evidently demonstrate the loopholes in law enforcement as well as law compliant among stakeholders.

Furthermore, job mobility clearly demonstrates the role of brokers and social network. Several researchers demonstrate the role of brokers in labour migration (Lindquist, 2017; Lindquist et al., 2012; Sakaew & Tangpratchakoon, 2009; Verité, 2019). Because this study approaches the mobility practices through the experience of migrant workers, I neither specifically examine the social landscape of the brokers nor approach enough brokers for the analysis. However, the cases can emphasise the role of brokers in relation to the job mobility of migrant workers. Various forms of brokers appear in the case studies, including

- the brokers who provide specific services such as facilitating the paperwork—either domestic or transnational process, providing transportation,
- the brokers who play roles as gatekeepers to employment,
- the brokers who play roles in moving the workers from place to place,
- the brokers who provide comprehensive services by coordinating with subcontractors or employers and
- subcontractors.

Brokers play a significant role in moving workers from place to place or from one employer to another. Yet, the cases demonstrate that there is the cost incurred by the mobility, either documents cost, or brokerage fee in facilitating mobility. Also, the cases show that the workers also utilise their social network in negotiating with the broker mechanism for example Thidar employ her social network for accessing the job without relying on the service of the brokers. In the case of Aow, he also uses his social network to flee from the exploited cycle of the brokers. The cases show that social network can reduce the cost incurred by the brokers regarding job mobility.

III. Mobility Outcomes and Social Mobility

A migrant worker is usually perceived as an economic migrant who moves in pursuing a higher economic interest. Such perception reflects the rationale of neoclassical economics, which considers human as homoeconomicus hunting for maximum utility. This study aims to reflect some different aspects of labour migration and human mobility. It seeks to illustrate that the economic outcome is not the only way to examine the production of mobility. The social status that was shifted along the move should be another aspect to consider. Accordingly, this section aims to examine the social mobility that is shifted by the job mobility or the spatial mobility of migrant worker. This part is presented through the life-changing story of four informants, including Nwe, Saw, Ma Yi, and Saya.

Nwe

Over the course of 15 years working in Thailand, Nwe passed more than 15 jobs. The duration of each job varied from 2–3 months to 2–3 years. The income she earned ranged from 3,500 baht per month in the first period to 6,000 baht in the subsequent period. She used to earn the highest salary up to 17,000 baht while she was working in a foreign employer's house. Because she worked as a maid in a private house, she could save for accommodation and food expenses. Most of her income was sent to her mother in Myanmar.

Nwe said that her mother had much debt. After her father's death, her mother, who does not work, had to borrow money from others for spending. The journey of Nwe and her sister also increased the debt of her family, especially during the early period that she was cheated by the employer and had to pay the bribe to the police. However, after she worked for 10 years, she finally paid all debt. She feels very happy.

In the past, Nwe's mother's house in Myanmar was small and dilapidated. The floor and walls are decayed. If it rains, then the water will flood into the house. Compared to other houses in the village where their family members have come to work in Thailand, every house is bigger than her. She used to be told by a monk in the village that he feels pity for her mother. She has many children, but they cannot effort to build a decent house for the mother. Finally, after she paid all debt, Nwe built a new house for her mother. Nwe proudly said, "now, my house is bigger than everyone in the village". The monk also said to her, "previously Nwe's house is the smallest one in the village, but now it is the biggest one". The monk also said, "your mother usually told me who has been sent her money and taken care of her all the time". Nwe told the story with the voice of joy.

The mobility of migrant worker does not always result in the linear upward social mobility. Nwe has collected most of her money with the family in the home country. By working as a housekeeper, Nwe can save her living expenses, such as accommodation, food, and day-to-day travelling expenses.

It is worth noting that even if Nwe often changes her job, she did not have to bear much of the paperwork cost. This is not because it is not required by the law. Although the regulation on migrant worker document is applied to all sector, the

domestic worker remains to hide in the grey area where the loophole in law enforcement, compliance, and worker protection prevail. Nwe also has to bear the risk of having to work in a closed place which is hard to access and inspect by the government officials.

Nwe's case demonstrates the role of a strong social network helping her to escape the oppression of her employer. The network also performs as a safety net which provides accommodation and a safe place for her. Indeed, even if Nwe frequently changes job, she has only a few periods of unemployment. She usually manages to find new opportunities to replace the previous job.

She said, "when I worked at the house in Sukhumvit, my employer treated me badly. I must wake up at 4 am and work until 11 pm. I did not even have a private room or bed. I had to sleep on the floor in front of the bathroom. For the food, the employer only provided plain rice. I had to buy other food by myself. The employer also cheated on my wage. She told me that she would give me 4,000 baht, but she paid me only 3,500 baht. Finally, I contacted my friend and fled from that house. I stayed overnight with my friend and asked my brother to take me to his place. I, eventually, went back to work at the same factory as my brother for another two years".

In addition, her experience working closely with Thai employer helps her to learn the Thai language and culture. She learns how to negotiate with Thai employers.

She said, "At first it was difficult because I could not speak Thai. Now, I can speak Thai, so I can talk to the employer when applying for a job. For example, if the employer asked what can I do, I can tell them that I can do laundry, prepare food, take care of children and elderly, for example. If they ask me how much I want, I will say I do not know, up to you, how much you would like to give me if they say 6,000 to 7,000 baht. I will ask them to let me try first and if I work well, could you give me more. So, I will do my best, keep it clean, prepare nice food. If the boss admires me, they will increase my wage".

In the case of Nwe, cross-border saving results in some level of upward social mobility in her society in the home country. She manages to upgrade the living condition for her family. Yet, it is worth noting that she has seven siblings, and five of them work in Thailand. Nwe is the main person nurturing the family while her

siblings also have extended family. She, thus, spent more than 10 years for paying all debt.

Saw

Saw was a first-year student of the department of geography at the University of Mawlamyine. His family has a decent social status. He had never been a labourer. He decided to drop out of the university and travel to Thailand together with three colleagues. In 2003, he started working in Bangkæ fresh market. His job is burnishing boiled pig's legs. He worked more than 12 hours throughout the night every day. It made him cry. He said he had never thought he would face such difficulties. On that time, he thought he must learn to speak Thai. He tried to remember Thai vocabulary and talk to Thai people. He said, "I try to remember every Thai word when someone talked to me. I did not want to burnish pig's legs for my whole life. I want to get a better life".

Saw worked in Bangkæ fresh market a few months and moved to a frozen shrimp factory in Samut Sakhon. He got to know the owner of the factory who shares the same ethnic with him. She is Mon one of the ethnic groups in Myanmar. He said that she is so kind to him. He said, "She loves me like her own child. Her son and I are the same age. I had worked there for seven years. I do everything ranging from peeling shrimp, weighting shrimp, driving forklift to freezing shrimp. I worked until I became a leader controlling the freezing room".

After working for seven years, his brother persuaded him to leave the job to start his own business. He said, "My brother said that you should not work at the factory. If you work there, how can you rich. At that time, I earned only 12,000 baht. I, eventually, left the job and started my business".

Currently, Saw operates a wholesale business. He sells grocery products from Myanmar in Samut Sakhon. However, he still relies on the documented status of being a migrant worker. He got to know the owner of a retail shop which is a Myanmar but already got Thai nationality such that he obtains a work permit under the employment of the shop owner. This enables him to continuously stay in Thailand.

Ma Yi

Ma Yi, 59, came from Mawlamyine. She graduated with a bachelor's degree in Mathematics. Ma Yi used to be a teacher in Myanmar. Yet, due to the economic difficulties, she moved to Thailand. Ma Yi began working in a plastics factory since 1997. A few months later, her boss rotated her to a plant in Rayong. After working for a while, the employer knew that she has a well-educated, so she was moved from assembly line worker to a stock-checking staff in the office. Although she earned the same wage, she thought the working conditions is better than previous position. She worked there a while until the factory often inspected by the police for searching illegal migrant workers. At that time, she was an undocumented worker. Finally, she moved to a seafood processing factory in Samut Sakhon.

Ma Yi started her new job as a daily employee, earning around 450 baht per day, including overtime payment. Until she was able to work faster, she employed as a contractor. Her income was subject to the number of products she could make. She earned up to 600–700 baht a day. She had worked with this factory for 12 years, but the factory faced production problem. Several departments were reduced workers. She had to move to another seafood processing factory. Her income was reduced to the previous rate as a daily worker. She had worked with that factory for two years. Later, she found that there is a migrant learning centre opening in Samut Sakhon. It is a learning centre for migrant children borne with migrant workers. She saw the opportunity to be a teacher again, so she resigned from her factory job and started teaching at the learning centre. Yet, she received a lower income than she did in the factory because the learning centre does not pay overtime. However, she feels delighted to be a teacher once again.

Saya

Saya, 38, used to be a teacher. He taught 10th-grade students in Myanmar. He raised in a middle-income family. His father is a government official. His sister, also, a doctor. During the semester break, he travelled to Thailand to visit his boyfriend. Saya's boyfriend work in a seafood processing factory in Samut Sakhon. Saya was suggested by his boyfriend that he could travel to Myawaddy and cross the border to Mae Sot and move to Samut Sakhon directly.

Upon arriving in Samut Sakhon, he stayed with his boyfriend. He applied for a job at a furniture factory in Samut Sakhon province. He found that the document he received from the broker cannot use for working in Samut Sakhon. He had to work as an undocumented worker. Every month, the employer deducted him 1,000 baht for bribing the police. Yet, it could not protect him when the immigration officials raided the workplace for searching illegal workers. He had to run away and hid in the wood. One time, his colleague jumped into the swamp to hide the officers. He spent too much time hiding underwater. He almost died by suffocating.

That situation makes him feel like he was in the wrong place. He feels he has been in the wrong place all the time because he lived in Myanmar. His mother pushed him to be a teacher to conceal his true gender. His mother was very angry when she known that he fled to Thailand to live with his boyfriend. He said that his mother announced the break-up of his mother-son relationship through a newspaper in Myanmar. Thus, he cannot return Myanmar anymore. Moreover, after living together with his partner around two years, his boyfriend got a motorcycle accident. He had to contact his sister to help in sending his partner back for having an operation in Myanmar. Once his partner was getting better, he decided to be a monk for the rest of his life. Saya knows that he could no longer be in love with his boyfriend because having a feeling with monks is considered a serious sin. Hence, he decided that he will not return to Myanmar again. However, Saya finally found the way back to be a teacher again. When he was working in a factory in Samut Sakhon, he found out that a migrant learning centre in Samut Sakhon was recruiting new teachers. Eventually, he became a teacher at the learning centre.

The movement of Saw, Ma Yi, and Saya demonstrate difference outcomes in social mobility. All three are well-educated and had relatively high social statuses in their countries of origin, especially Ma Yi and Saya, who were the teachers in Myanmar. All three show different motivations in travel to Thailand. Although Saw wanted to seek a new life that is different from that of a university student, Ma Yi faced with economic hardship forcing her to leave a teacher status to be a labourer. On the contrary, Saya has faced a gender barrier, excluding him out of his society.

Because they have migrated to Thailand in the category of the low-skilled migrant worker, their mobility outcomes turn to limit them to demonstrate their full

potential and knowledge. Saw has to use the status of the migrant worker to stay in Thailand while Ma Yi and Saya are going to move again due to the shutdown of the migrant learning centre. Consequently, it would be hard to predict how their mobility will be turned out in the future.

The data in this section show that job mobility of migrant worker does not increase the income of the migrant worker. This phenomenon shows that the opportunity to develop knowledge and skills in relation to career development for migrant workers is limited. Although the case of Nwe found that she was able to increase her income up from job to job, the payment method for the domestic worker is not situated in the regular payment system. It is worth noting that the regulation on minimum wage according to the labour law is not applied to the domestic worker. The payment of the domestic worker is subject to preference and negotiation between the employer and employee rather than align with the minimum wage. Moreover, it is obvious that the reason that Nwe has a shift of income because she worked with a foreign employer. Therefore, when her employer left Thailand, it would be difficult for her to find a job that yields the same level of income. Nevertheless, the case of Nwe and Saw show that Thai speaking skill is vital to help worker for negotiating in the Thai labour market.

4.3 Discussion: Entanglement in the Politics of Mobility

Experience, velocity, and route

Tim Cresswell (2010) suggest that mobility can be determined as resources that are unequally distributed and accessed. Experiences of mobility are related to physical movement and representation of such mobility. Furthermore, a politics of mobility is expressed over the route that contains mobility. In this sense, routes can be perceived as channels or mobility infrastructures which are constituted and entangled with social relations.

Mobility experiences of Thidar and Aow seem to change subject to the channels they employ for their movement. In the early period, their cross-border movements are full of difficulties, not straightforward and dangerous. They cannot use the direct route from the origin to the destination. The travelling takes an extended

and uncontrolled amount of time. The narratives repeatedly portray similar circumstances such as walking through the wood many days, escaping from inspections, squeezing and hiding in the truck, arresting and bribing as well as involvements of illegal mechanism with both brokers and police officers. The repeated circumstances demonstrate limitations in regular and safe mobility concerning both sufficiency and accessibility.

Xiang (2008) emphasise that the migration phenomenon does not intrinsically occur per se. Likewise, the mobility of migrant workers across the geographical area should be perceived as labour transplantation. The workers are provided with some channels through which to be transplanted from one place to another. Accordingly, if we consider the differences between the channel that the case studies employed in the early period and the channel that is provided by the employment process under the MOU, we can evidently emphasise the differences in mobility experiences.

Although the smuggling channel across the national territory is an arduous and perilous journey, the transit channel in the later period that is provided by the employment process under the MOU was narrated as a regular, safe and short journey. However, it should be noted on the distinct motive forces between those journeys. Although the former is motivated by gaining access to the job market in another area, the latter is motivated by gaining access to the licit employment status in the job market that the workers have been already situated. Consequently, the workers undergo a roundtrip to their home country and return to work in Thailand.

Nevertheless, the comparison can be considered in the similar analogy. We may consider that both journeys are movements into the labour market in Thailand with distinct origin points, one in the home country and another in Thailand. By such consideration, both journeys are the 'detour' albeit they were taken in a distinct direction. In this sense, the former is a detour in avoidance of regular channel while the latter is a detour towards regularisation by making a return trip to be more legitimate. Both journeys are made towards the same area which is the job market in Thailand. Ultimately, I can argue that the migrant workers in Thailand are never free from having to make detours. They are situated in the circumstance of running around the continuum of regularity and legitimacy. Finally, it is worth considering that

although the adaptation of mobility infrastructure may be constituted a distinct narrative, which seems to present some level of development, the distinct motive forces should not be taken for granted. It should be noted that the direction of mobility may not be as straightforward as it is exhibited to be.

Friction and document system

I argue that the migrant workers in Thailand are regulated to run around the continuum of regularity. The configuration of the migrant management regime can be perceived as friction. According to Cresswell (2017), friction stems from the movement of others rubbing against another. As a result, one mobility might be rubbed until slow down or stop.

In Chapter III, I portray the dynamic configuration of the migrant management regime in Thailand. In this section, I would like to emphasise how the configuration of the regime rubs with the movement of migrant workers. In the early stage, the undocumented migrant workers were encouraged to register with the Ministry of Interior. The workers would obtain a document called Tor Ror 38/1 as an identification document in Thailand. This group of workers would not be allowed to travel outside the registered provincial area. An exception had to be made with the approval of the governor in the form of a permission letter for migrant workers who want to travel across the province for a specific purpose.

Later, the MOU on labour cooperation between Thailand and its neighbouring country established the nationality verification process. The migrant workers who undergo the process would obtain the document called a temporary passport or certificate of identity. The document is issued by the government official of the country of origin the workers. As a result, those who have this document will obtain permission to travel outside the province that they are working. Nevertheless, because the document is issued under the MOU between Thailand and the country of origin of the workers, the document cannot be used as passport for travelling to other countries.

The configuration of the MOU and documentation process led to the development of the employment process under the MOU. The workers who undergo such a system will obtain international passports. The document can be used as an

identification document for travelling to other countries like a regular passport. It can be seen that the configuration of the documentation system entangles with migrant workers in various levels of mobility.

However, apart from the configuration of the identification regime, the mobile capability of migrant workers is also rubbing with the adaptation of Thai legal framework. Regardless of the immigration law, the mobility of migrant workers in the labour market is also controlled by another crucial mechanism which is the work permit and the regulation on reporting to the Office of Employment once there are employer changes.

To legally work in Thailand, migrant workers need to be issued a work permit by the Office of Employment. The work permit will indicate specific employer and workplace. If the workers change the employer or workplace, they need to report to the Office of Employment for changing the recorded information. As discussed in Chapter III, the configuration of the regulation on the employment of migrant workers has established the mechanism on reporting of changing employer in a specific duration. Also, one's reasons for changing jobs must comply with the regulations.

It should be noted that the change in the regulations on the employment of migrant workers in Thailand took place in relation to the configuration of documentation process under the MOU. In this regard, it can be argued that the identification document may entitle migrant workers to the right to geographical mobility while the limitation of mobility in the labour market is produced. The case of Nu Tin shows how migrant workers encounter with the limitation in navigating through the labour market. To briefly revisit this case study, Nu Tin was laid off by a subcontractor, but she did not obtain a document called a notification of resignation. Although she managed to find an available position, the new employer refused to employ her. The employer claimed that she did not have a necessary document for renewing the record with the government office. Overall, it can be argued that the mobility of migrant workers, regarding both geographical dimension and employment dimension, is continually rubbing with the movement of the surrounding system that is dynamically configured especially the documentation system and regulations. Immobility or slowness or limitations in mobility, thus, create some consequences

concerning the negotiation power of the workers in the labour market, as well as the power relations among players in the labour market.

Motive forces, and negotiation with mobility

Mobility can be conceived as a negotiation strategy used in the labour market by employers or employees. Although the employers usually execute the strategy in adjusting the workforces to serve the fluctuating demand of the market, employees navigate through the labour market to find the best return for trading their labour power. In this sense, the labour market seems to be shaped by the mobility of labour through the negotiation between employers and employees. Hence, when assessing the fairness of negotiations in the labour market, the power relations among players should not be taken for granted. In the case studies, I highlight the mobility practices of migrant workers to reveal the negotiation power of the workers with the labour market.

The cases studies reflect involuntary job mobility more than voluntary job mobility because oftentimes, the voluntary moves were caused by the undesired situation in the previous workplace, such as cutting production and reducing overtime payment. Besides, workers were forced to move in several cases, such as Nu Tin, and wrongful dismissal cases in the earlier section. Those cases also show that the workers who are employed by subcontractor tend to be laid off easier than the direct contract worker once the employer desire to cut its production. Additionally, the cases show that the workers negotiate with the labour market for two main aspects, including working condition and income.

Besides, the cases of forced mobility, especially by wrongful dismissal highlights the situation in which the conflicts emerged, and migrant workers faced with undesired mobility in the labour market. Yet, it does not appear the mechanism which empowers the workers to negotiate with such circumstance. Although filing compliant to the government officials is one of the mechanisms that could help the workers to deal with the conflict with employers, the complaint mechanism does not guarantee that the workers could acquire new employment. Either social networks or brokers may be another mechanism, yet it is worth considering the accessibility and affordability of migrant worker on such a mechanism. Hence, it leads to the issues of

accessing mobility through such mechanism as earlier discussion. However, the cases show the result that the workers cannot maintain their income or employment status in the labour market.

Accordingly, I argue that the lack of negotiation power to control mobility pushes the worker to struggle with navigating through the labour market when they are facing forced or involuntary mobility. Finally, the capacity for mobility should be considered a pivotal negotiation power of workers with the labour market.

4.4 Summary

In this chapter, I pay attention to the mobility practice of Myanmar migrant workers in Thailand. First, I draw upon the concept of mobility infrastructure to examine the interactions between mobility practices and the mobility infrastructure under the migrant worker management regime. I focus on three aspects of the interactions, including cross-border movement and documentation system, job mobility, and mobility outcomes. The interactions are disclosed through several case studies. Then I put forward the discussion on the politics of mobility that are expressed through the interactions in the case studies. The discussion draws attention to the mobility of migrant workers in the labour market in Thailand.

First, the case studies in this chapter demonstrate that the pattern of cross-border movement is subject to change through the adjustment of the documentation process. The journey of the migrant worker in the past reflects the route full of difficulties and risk. It took an unexpected long duration. They had an unexpected stop many times. The journey is full of uncertainty. The recent cross-border mobility experiences of migrant workers tend to improve concerning safety and convenience. The route of mobility is also subject to change in accordance with the change of the migrant worker management regime. Besides, the cases show that although brokers and government officials play crucial roles in accommodating the movement, they seek to reap the benefits of the mobility from migrant workers. Sometimes, the broker incorporates its services into the formal mechanism of the immigration officers for sending migrant workers across the border while the worker utilises such methods to make mobility possible.

Second, the case studies illustrate the intensive job mobility of migrant workers. Several patterns of job mobility are disclosed, such as the move within the same province and across the province, the move across the employment sector, the changing employment together with urban migration, the move from the informal sector to formal sector and vice versa, the voluntary move and being forced to move. Furthermore, brokers and social networks play significant roles as mobility infrastructures in accommodating job mobility. The roles of brokers and social networks are expressed in various ways, including complementary, substitution, as well as collaboration to make a move to be possible. For instance, they play the role of introducing the new opportunity, being an intermediary to facilitate the moves or connect the workers to access the new job. In addition, a strong social network can substitute the role of the broker. However, because the workers have to bear the expense of the paperwork incurred by the job changing process, the cost would be gradually increased in variation with the involvement of the brokers.

Regarding the regulation, the cases disclose that the regulations play a role in limiting the movement. Because the job mobility of migrant workers highly relies on the documentation system, the paperwork increases the cost of mobility for workers. Also, it can be found that government officials also try to reap the benefit of workers' mobility. Employers, on the contrary, play a significant role in opening or closing the channel of mobility for the workers. However, it seems that the migrant worker management system, which is adhered to the documentation system take it for granted the negotiation power between worker and employer. The distortion affects the mobility outcomes of migrant workers.

Third, the mobility of migrant worker does not always result in the linear upward social mobility. In some case, after working for a long time, the workers may manage to have upward mobility in their home country society. The success case demonstrates some factors, including avoidance of the cost of paperwork and the cost of living, a capability on negotiation with the employer and the labour market, and an asset accumulation through the oversea-saving mechanism. However, some cases demonstrate the downward social mobility. Because the workers migrate to Thailand in the category of the low-skilled migrant worker, their mobility outcomes prevent them from demonstrating their full potential and knowledge. The cases show that

some workers have high education and represent a relatively high social status in their country of origin. However, once they move through the migrant management regime, which is constructed for regulating the low-skilled migrant workers, they fall into the category of the low-skilled worker.

In addition, due to the fact that the wage level of migrant workers has relied on the minimum wage standard, which greatly limits their career development. Although the skill improvement from working in the same job for a long time may result in increasing the level of income, the increase in income still depends on the amount of work produced. Surprisingly, even though the workers may earn an annual income adjustment, their income may reduce by the adjustment of the minimum wage. Furthermore, it is worth noting that job mobility also does not affect the worker's income. Consequently, the remuneration system that subjects to the minimum wage would not promote the development of human capital which is a crucial factor for improving production sector in Thailand.

Finally, mobility can be considered a resource that is unequally accessed. The mobility experiences of migrant workers are entangled with the channels that are provided as mobility infrastructures. Although the mobility channels for migrant workers seems to be configured under the development paradigm concerning safe migration, protection, and regularisation, it is likely that the routes towards labour market for migrant workers tend to remain indirect. Furthermore, while the continuum of regularity is making migrant workers to move around the range of legitimacy, the configurations of regulation and the regime are also rubbing with the mobility of the workers. In this sense, the establishment of mobility channel seek to control the pace of migrant workers mobility to ensure their readiness under the migrant worker management regime. Lastly, the capacity of mobility should be considered to be a significant negotiation power of the workers in the job market. Accordingly, it can be argued that the distortion in mobility power could eventually distort the power in negotiation of migrant workers with the labour market of migrant workers in Thailand.

CHAPTER V

CONCLUSION

This study responds to the main research question of how the labour market of migrant workers under the migrant worker management regime in Thailand has been shaped through the structuration of the politics of mobility and infrastructure. To accomplish this, the thesis has three objectives. The first objective is to illustrate how the migrant worker management regime has been exhibited and configured as mobility infrastructure, shaping the mobility of migrant workers from Thailand's neighbouring countries. The second objective is to demonstrate how the mobility practices of Myanmar migrant workers in Thailand interact with the migrant worker management regime. The third objective is to examine how the politics of mobility have been expressed through the interactions between migrant workers and the migrant worker management regime.

In this study, I begin by presenting the rationale and methodology in the first chapter. In Chapter II, I review literature on labour migration and mobility, both conceptual and empirical studies, in order to frame the conceptual framework of this study. Then, in Chapter III, I illustrate the dynamic of the migrant worker management regime to see how the regime has been configured over the historical timeline. After that, in Chapter IV, I explore the interactions between the mobility practices and the migrant worker management regime, using several case studies of Myanmar migrant workers in Thailand. Through the case studies, I put forward a discussion on the expression of mobility politics over the labour market of migrant workers in Thailand.

This concluding chapter aims to revisit the main findings of the research in response to the research questions and objectives. Then, I reiterate the concept of the study to contributing to the theoretical discussion.

5.1 Shaping Labour Mobility and the Configuration of the Regime

Throughout this thesis, I use the term 'migrant worker management regime' to denote the emergence of agglomerate mechanisms that manage the flow of migrant workers from Thailand's neighbouring countries. By highlighting a specific timeline, from the 1990s to 2020, I perceive the regime's emergence as the result of various series of state mechanisms, including policies, bilateral agreements, regulations, procedures, and identification tools. I found that the regime has never exhibited itself as a static figure, pressing its operations and governing the flow of migrant workers. On the contrary, the regime has continually presented its dynamic configuration.

I distinguish and conceptualise the configuration of the regime into three phases. The first phase is the period from 1992 to 2000. In this period, the regime appears to consider the flow of migrant workers a threat to national security. The policies during this period reflect their prioritized concerns with blocking the flow of the migrants from neighbouring countries. Several restrictions were enforced upon migrants, including the permitted area, type of work, residential duration, and the total number of workers allowed to work in the country. However, the government could not manage to limit the flow of migrants from neighbouring countries.

The second period is from 2001 to 2013. The regime reflects a different rationale than the first period. In this period, migrant workers were seemingly perceived as economic migrants who could benefit and nurture the economic growth of the country. Therefore, instead of limiting the flow, the regime acted as the mechanism for harnessing the flow of migrant workers to support the production sector. Various tools and mechanisms were produced. Through the emergence of registration scheme, identification tools, and the MOU between Thailand and neighbouring countries on labour cooperation, migrant workers have been classified into different levels of legitimacy to stay, work, and mobilise within Thailand.

The third period is during 2014–2020. The priority of policy seems to change once again, now that the military junta has become the government. The government has established several new rules and regulations to rigidly control not only the workers, but employers and brokers also. The core practice during this period has two main operations, the production of registration mechanisms throughout the country on

one hand, and the pushing of migrant workers along the employment process under the MOU on the other. It is worth noting that the regulation creates the mobility channel for migrant workers, while the brokers render mobility possible. Certain types of brokers are authorised to legally recruit and bring migrant workers to work in the country. With the creation of the authorised agency also came the emergence of informal and illegal agencies. However, the regulations and brokers remain and play crucial roles as the mobility infrastructure of migrant workers.

Through the above findings, I discovered that the regime exhibits itself as mobility infrastructures. I draw upon the concept of infrastructure as assemblages of infrastructures that mobilise the flow of migrant workers across the limitations of time and space (Bowker & Star, 2000; Harvey et al., 2016; Sangamonian, 2017). The migrant worker management regime demonstrates assemblages of various infrastructures: the documents regime, non-citizen control, policies and regulations, the employment process, and classification of migrant workers. Also, it is important to note the inconsistency in the dynamic configuration of the regime, which exhibits itself through various forces of multi-agents. Otherwise, from the findings, I bring attention to a different dimension of the function of the migrant worker management regime as mobility infrastructure. Apart from mobilising the flow of migrant workers across geographical space, I argue that the regime also functions to mobilise migrant workers across various locations, in terms of the legitimacy and dimensions of the labour market in Thailand.

5.2 The Interactions between Mobility Practices and the Regime

In this section, I explore the function of the regime through the mobility practices of Myanmar migrant workers in Thailand. Although I depict the migrant worker management regime as mobility infrastructure in the previous section, I herein put forward my argument that the functions of infrastructures are not necessarily the same as what this infrastructure has exhibited itself as being. Therefore, I aim to disclose the operation of mobility infrastructure through the interactions between migrant workers and the regime. I focus on three main areas in particular: the cross-border movements and documentation system, job mobility, and mobility outcomes.

Cross-border movement and documentation system

The findings demonstrate that the pattern of cross-border movement is subject to change with adjustments to the documentation process. The past journeys of migrant workers reflect routes full of difficulties and risk. The journey was unexpectedly long. They were unexpectedly immobile many times. The journey is rife with uncertainty. The recent experience of the migrant worker concerning cross-border mobility has seemingly improved in safety and convenience.

Besides, regarding mobility within the documentation system, the route of mobility is also subject to change as the migrant worker management regime changes. In the first period, workers travelled to do paperwork in the area where they work. In the second period, they were encouraged to travel across the province and undergo the Nationality Verification process, conducted by government officials from the country of origin. In the third period, an international cooperation employment process has become the main channel for recruiting migrant workers. Migrant workers who have already been in the country are encouraged to return to their home country to undergo the document process and return to Thailand once again if they still want to work.

Job mobility

The findings demonstrate the intensive job mobility of migrant workers. Several patterns of job mobility are disclosed, such as moves within the same province and across the province, moves across the employment sector, changes of employment together with urban migration, moves from the informal sector to formal sector and vice versa, voluntary moves, and forced moves. It is worth noting that brokers and social networks play significant roles as mobility infrastructures in accommodating job mobility. The roles of brokers and social networks are expressed in various ways, including complementary, substitution, as well as collaboration to render a move possible. For instance, they introduce the new opportunity, mediate and facilitate the moves, or connect the workers to the new job.

In addition, a strong social network can substitute for the role of the broker. It is important to note that the workers must bear the expense incurred by their job mobility, such as the cost of paperwork for job-changing process, recruitment fee, transportation fee, and accommodation expense. As a result, the case in which brokers

are involved would be higher cost than the case receiving assistance by social networks.

Besides, the findings show that regulations, brokers, and social networks play a crucial role in the mobility infrastructure of migrant workers. The regulation creates the mobility channel for migrant workers. The brokers render mobility possible. Social networks play a crucial role in supporting mobility.

The mobility outcomes

The mobility of migrant workers does not always result in linear upward social mobility. In some cases, after working for a long time, the workers may manage to gain upward mobility in the society of their home country. The successful case entails some factors, including avoidance of the cost of paperwork and the cost of living, an ability to negotiate with the employer and labour market, and the accumulation of assets through the oversea-saving mechanism. However, some cases demonstrate downward social mobility. Since the workers migrate to Thailand categorized as low-skilled migrant workers, their mobility outcomes limit them from demonstrating their full potential and knowledge. The findings show that some workers have high education and possess a relatively high social status in their country of origin. However, once they move through the migrant worker management regime, constructed for the purpose of regulating the low-skilled migrant workers, they fall into the category of the low-skilled worker.

In addition, since the wage level of migrant workers relies upon minimum wage, migrant workers are vastly limited in their career development. Although working in the same job for a long time may result in improving their skills and an increased level of income, this raise in income still depends on the amount of work they produce while the wage's level remain the same. Surprisingly, even though the workers may earn an annual income adjustment, their income may reduce due to the adjustment of minimum wage standard. Furthermore, it is worth noting that job mobility also does not affect workers' income. Consequently, the remuneration system that is subject to minimum wage does not promote the development of human capital, a crucial factor for improving the production sector in Thailand.

Finally, the findings demonstrate that instead of conforming to the system, all players tend to utilise the system as a resource for their own purposes. While the

regulations play a role in limiting the movement, brokers and government officials seek to reap the benefits of workers' mobility. However, migrants also utilise them as rules and resources for facilitating their mobility. Also, the findings show that while migrant workers perform their mobility, the acts of moving in and out of the legal system and document system are usually expressed. Since the job mobility of migrant workers relies highly on the documents system, paperwork increases the cost of mobility for the workers. Thus, employers play a role in opening or closing the channel of mobility for the workers. However, it seems that the migrant management system, which adheres to the documentation system, takes for granted the negotiation power between worker and employer. The distortion affects mobility outcomes of migrant workers.

5.3 Entanglement in Politics and Negotiation with Mobility

In the final argument, I bring attention to the political entanglement of the interactions between migrant workers and the regime. The focus of this section is how the mobility of migrant workers is expressed in the labour market of migrant workers in Thailand. The findings demonstrate limitations in the accessibility of satisfactory mobility channels, according to the experiences of migrant workers. Although the recent channel seems developed, migrant workers must still take the detour route to the job market. The findings raise awareness of mobility as an inconsistently provided and unequally accessed resource. Accordingly, the migrant worker management regime provides various channels of legitimacy and regularity into which migrant workers can move, while migrant workers move around such channels according to their affordability.

Also, the findings demonstrate the contestation of mobility. The movement of migrant workers is performed alongside the movement of surrounding mechanisms. The mobility of such mechanisms sometimes results in the immobility or slowness of migrant workers. The migrant worker management regime is also moved through its dynamic configuration. As a result, the mobility of migrant worker often rubs against the movement of the regime. Because frictions emerge from such

movements, it is worth underlining the negotiation and power relations among players in the labour market.

Finally, I highlight that mobility should be perceived as a strategic tool for both employer and employee. Though the employer possesses the power to adjust the workforces as the market fluctuates, the employee should enjoy their right to free mobility. Furthermore, the case studies demonstrate that migrant workers tend to experience involuntary and forced mobility, rather than voluntary mobility. In this regard, limitations to accessing the mobility of migrant workers further lessens the negotiation power between the workers and the labour market. Therefore, for my final point, I consider the capacity of migrant workers' mobility within the labour market in Thailand.

5.4 Theoretical Discussion

In this study, I approach the labour market of migrant workers according to the structuration concept of Anthony Giddens (1984). The concept constructs my perception of the labour market for employing migrant workers as a duality of structure. In this regard, the structure is not an external factor affecting individuals. While it shapes the actions of the agency, the structure itself is also reshaped by such series of actions. Thus, instead of conceiving structure as a static figure, I perceive that the structure portrays its dynamic through the interactions emerging within the social system. The labour market of migrant workers employment reflects such perceptions within my study. The research found that the migrant worker management regime demonstrates a highly dynamic structure. Policy and regulation are subject to frequent change. The configurations are led by various reasons, such as the changing of policy priority, pressure from various stakeholders, and failure to implement the regulation. It is worth noting that the regime's dynamic tends to result in shifting perceptions of migrant workers in Thai society. Little by little, the perception deviates from the threat to national security to economic migrant. Consequently, such perceptions lead to the production and reproduction of interactions between migrant workers and the regime over time.

Furthermore, Giddens suggests that the structure can be broken down into rule and resource. Rule frames human action, while resource renders the action possible. People utilise rule and resource to operate their everyday life. Utilising rule leads to the reproduction of the rule. The flow of action and interaction shapes the structure. Agency, on the other hand, refers to the intention and capability of doing something. Consequently, the agency reflects the flow of action, not only limiting its knowledge, but expressing its will and exercising its power as well. Migrant workers may be considered the agency, performing their mobility actions. Even though their mobility practices are shaped by the regime, they do not conform to it like docile bodies readily moving through the provided channel. The findings demonstrate that migrant workers negotiate with the rule, as well as utilise the system as a resource to operate their mobility. However, the acts of the agency are not only expressed through the action of the workers, but articulated by other actors such as government officials, brokers, and employers as well. These actors also demonstrate themselves as an agency, utilising the structure as rule and resource to express their purpose and exercise their power.

Lastly, I argue that the politics of mobility and the dynamic configuration of infrastructures lead to the structuration of the labour market in which migrant workers are employed in Thailand. The research found that the mobility of migrant workers is further intensified by the condition of the labour market. Because migrant workers are situated in the secondary labour market in Thailand, their remuneration system relies on the fixed minimum wage. They can earn an incremental income by locating themselves in the workplace, which allows them to produce more products. Therefore, workers demonstrate high job mobility. However, it is worth emphasising that the mobility of the worker highly relies on the document system and regulations.

The employers wield the power to open or close the channel for workers' job mobility, as they demonstrate more power to negotiate with the regulations. Consequently, this phenomenon distorts the power relations between employer and employee. It should be noted that the job mobility of migrant workers in Thailand is not always voluntary. Sometimes, the workers are forced to move. Although the findings demonstrate that some workers tend to move in pursuit of an incremental income from the fixed minimum wage, some migrants are forced to move due to

various circumstances. For instance, the factory cuts its production. The worker is dismissed by the employer. The workers must flee from wretched working conditions, violation, oppression, a debt bondage cycle, or wage theft.

In conclusion, the emergence of the labour market of migrant workers in Thailand demonstrates that the migrant worker management regime has impressed the representation of low-skilled migrant workers to migrant populations from Thailand's neighbouring countries. The migrant workers are deprived of their right to demonstrate their free mobility. As a result, on the one hand, the mobility of migrant workers is intensified by the regime and conditions within the labour market. On the other hand, limitations to the mobility of migrant workers distort the power relations between the employee and the employer. Negotiations for mobility become a strategic tool not only for the migrant workers, but also for all actor in the migrant worker management regime and labour market.

5.5 Suggestions for Further Research

In this research, I use the interview method to collect data, due to time and budget constraints. This study reveals some limitations to investigating broader aspects of mobility practices, such as mobility in everyday life, commuting to work, holiday travelling, revisiting family in one's home country, etc. I believe such mobilities might illustrate various, vivid perspectives on the politics of migrant worker mobility. Investigation into such mobilities would extensively contribute to the research.

In terms of mobility infrastructure, it is worth noting that Xiang (2014) also suggests exploring the more extensive role of dimensions which were not included in this study: humanitarian, technology, and commercial infrastructures. Also, during the research process, I perceived the growing role of such infrastructures upon the mobility of migrant workers in Thailand. First, the humanitarian dimension plays an increasing role in intervening the policymaker. Since the context of labour migration in Thailand overlaps with pressing issues such as human trafficking and Illegal, Unreported and Unregulated fishing (IUU), as a result, it seems that the humanitarian dimension is highly involved with the dynamic of the migrant worker management

regime. Second, the technological dimension is also rapidly transforming both transportation and communication. Therefore, this dimension should be widely explored. Third, the landscape of the migratory industry in the context of labour migration extensively cover various aspects, ranging from specific characteristics of a particular employment sector to production in the global supply chain. Therefore, the commercial dimension in relation to labour mobility should be further investigated.



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APPENDIX: List of Informants

- **Semi-structure and In-depth interviews**

Date	Locations	Informants
May 21, 2017	Samut Sakhon	Saw
June 27, 2020	Samut Sakhon	Thidar
June 27, 2020	Samut Sakhon	Nwe
June 27, 2020	Samut Sakhon	Saya
June 27, 2020	Samut Sakhon	Soe
June 28, 2020	Samut Sakhon	Aow
June 28, 2020	Samut Sakhon	Chit
June 28, 2020	Bangkok	Paisu
July 2, 2020	Samut Sakhon	Ma Yi
July 5, 2020	Samut Prakarn	Nu Tin

- **Focus group discussions**

Date	Locations	Number of informants	Cases
June 28, 2020	Bangkok	7	Wrongful dismissal group, HS
July 3 2020	Samut Sakhon	5	Wrongful dismissal group, WD
July 5, 2020	Bangkok,	5	Wrongful dismissal group, PK

- **Key informant interviews**

Date	Locations	Informants
April 21, 2017	Samut Sakhon	Recruitment agency
May 13, 2017	Samut Sakhon	Human resource staff of a factory
June 19, 2017	Bangkok	Sub-contractor company
July 5, 2017	Bangkok	Employer in construction business
July 3, 2017	Ministry of Labour	Government's Officer

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