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Pretending to be Domestic Workers to be ‘Legal’. Uneven Performances of Deservingness Within Italy’s Labour Migration Regime

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ABSTRACT

The article focuses on the relationship between the Italian labor immigration regime, the categorization of domestic workers as ‘deserving’ of legal status, and the navigation strategies employed by migrants seeking to obtain a residence permit. Drawing on participant observation and interviews with migrants pursuing legal status through two specific labor migration policies in Italy, the article reveals how migrants confronting the Italian residence permit system are often compelled to conform to a particular categorization by presenting themselves as domestic workers. While some successfully navigate mass employment-based amnesties and the annual quota system for foreign workers through performances of deservingness, many others become entangled in the process, facing deception, fraud, and legal status immobility. The article thus underscores the malleable nature of state-imposed categories, the uneven outcomes of migrants’ efforts to achieve legal recognition through their appropriation, and the arbitrariness of legalization processes in Italy in recent years.

KEYWORDS

Legal status; labour migration policies; agency; categorization; domestic workers

Introduction

The categorization, classification, and hierarchization of immigrants is a pervasive aspect of contemporary migration regimes and migration experiences. Through visa, residence permit, and migration policies, destination states define who can access their territories, under what conditions, for how long, and with what rights. Legal status categorizations, in particular, serve as powerful tools for governing mobility both outside and within territorial borders, generating dynamics of exclusion, differential inclusion, stratification of rights, as well as arenas of contestation and negotiation (Bialas et al., 2025; Bloemraad, 2018; Cranston & Duplan, 2023; Goldring, 2022; Goldring & Landolt 2013; Mezzadra & Neilson 2013; Paul, 2015). Categories are in fact imposed by the state and, simultaneously, challenged by the categorized. In this article, I specifically focus on the relationship between immigration regimes, deservingness in legal status policies, and the navigation strategies employed by unwanted, irregular, or precarious legal status migrants to achieve legal status or remain ‘legal’. I position my analysis within the deservingness of labor migration regime in Italy, where, amid a progressively restrictive system, there remain manoeuvring spaces primarily due to the peculiar role of the domestic sector in Italian society and policies (Ambrosini, 2023; Bonizzoni, 2017; Tuckett, 2015). Drawing on qualitative research and examining the implementation of Italy’s two major labor migration policies—namely, mass, employment-based regularizations and the annual quotas for foreign workers—I focus on the

strategic use migrants make of domestic work to obtain residence permits and legitimize their presence and stay.

Recognizing that “a critical focus on categorization and its contestable nature is emerging as a theoretical pillar in the migration scholarship” (Menjívar, 2025, p. 943), the article underscores the malleability and inherent ambiguity of migrant categorization; it sheds light on the uneven outcomes of migrants’ efforts to achieve legal statuses by navigating and appropriating state categories; and it emphasizes the arbitrariness characterizing recent legalization processes in Italy. The article is structured as follows: the first section provides a theoretical framework regarding categorization, deservingness, and the legal status of migrants; the second outlines the methodology employed in the study; the third presents an overview of labor migration regime in Italy and the role of the domestic sector within it; the fourth and fifth sections showcase the strategies adopted by various migrants I encountered during my research, detailing their experiences of pretending to be domestic workers and the resulting outcomes; the sixth offers concluding insights.

Categorization, deservingness, and the work of legal status

Migrants are increasingly subjected to a complex web of categorizations that are intricately woven into politically and socially constructed hierarchies (Bialas et al., 2025; Dahinden et al., 2021; Goldring & Landolt 2013; Hadj Abdou & Zardo, 2024; Könönen, 2018; Mezzadra & Neilson 2013; Raghuram, 2021; Robertson, 2019; Zetter, 2007). The categorization of migrants is a dynamic process, varying across time and space; it is relational, as it fundamentally involves the creation of boundaries between groups; and it is intersectional, deeply intertwined with other categories of social difference. As argued by Robertson (2019), a migrant’s ‘status’ can imply multiple forms of classification, including the type of visa they hold and the legal entitlements they are eligible for, their position within labor hierarchies as ‘skilled’ or ‘unskilled’, their designation as ‘adult’ or ‘child’, and their temporal categorization as ‘temporary’, ‘permanent’, ‘newly arrived’, or ‘second generation’.

Legal status categories, specifically, are powerful tools of classification and hierarchization, shaping who is allowed to enter and stay in a country, what rights they are granted, and how they are treated (Goldring, 2022; Goldring & Landolt 2013; Parreñas et al., 2021; Paul, 2015). Such categories “specify the formal bases regulating how long a person can remain and under what conditions, conditions regarding access to labour markets, and regulations establishing access to social citizenship, particularly social goods and services” (Landolt & Goldring, 2015, p. 854). Being assigned to a particular category through visa and residence permit systems—such as irregular migrant, minor, refugee, asylum seeker, tourist, investor, student, temporary worker, or family migrant—also results in differential and stratified access to rights. Some types of migrants might be welcomed and facilitated towards more secure statuses and rights (such as naturalisation or permanent residency), while others are prevented access, or subject to contingent stay permits, temporal limitations on their presence, extended legal status precarity or illegalization (Abrego & Lakhani, 2015; Cranston & Duplan, 2023; Goldring & Landolt 2013; Mezzadra & Neilson 2013; Morris, 2002; Triandafyllidou, 2022; Villegas, 2014).

Migrant categorization, legal status and deservingness are closely linked in contemporary migration regimes. While the former refers to the classification of migrants into legal and social categories, deservingness refers to the moral judgment applied to those categories, determining who is seen as ‘worthy’ of admission, stay, and rights (Ambrosini, 2023; Bonizzoni, 2018; Chauvin & Garcés-Mascreñas, 2014; De Coninck & Matthijs, 2020; Nielsen et al., 2020; Borrelli, 2022). Certain types of migrants (high-skilled migrants, some ‘essential’ workers, rich tourists, some refugees) might be seen as more ‘deserving’ of rights and protections based on factors such as their perceived vulnerability, contribution to the economy, or alignment with national interests. Some migrants, such as seasonal workers, may be considered deserving of entry but may have access to fewer rights compared to others, such as highly skilled workers or investors. Deservingness is also shaped by intersecting factors such as race, gender, and class. For example, asylum seekers

or prospective tourists from poor countries are usually seen as less deserving and desirable compared to white refugees, women, or wealthy tourists.

While migration polices perpetuate inequalities and shape migrants' life trajectories through categorization and hierarchization, scholars have shown that such categories are also blurred, negotiated, contested, and crossed (Bialas et al., 2025; Blachnicka-Ciacek et al., 2021; Chauvin & Garcés-Mascareñas 2014; Coutin, 2003; Goldring, 2022; Menjívar, 2023; Tuckett, 2018). Migrants actively engage with and respond to these classifications to make themselves eligible and deserving of admission, stay, and rights. They position and reposition themselves to fit existing admission classifications, weaving in and out of categories—what Choi and Kim, (2025) define 'category traversing' - and producing elaborate performances to make themselves legible to state agents.

In this regard, the concept of 'the work of legal status' (Goldring, 2022) is particularly useful to highlight the efforts, time, money and other resources migrants must put into dealing with conditionalities and categorizations imposed by destination states. This implies conceptualizing legal status trajectories as dynamic and often non-linear paths through which migrants with precarious legal status navigate various legal categories over time—such as undocumented, asylum seeker, temporary worker, student, permanent resident, or citizen—depending on changing laws, policies, and personal circumstances. These trajectories are shaped not only by legal frameworks and policies that determine who is deserving of residence and rights, but also by individual agency and the action of other social actors, such as employers, street-level bureaucrats, social networks, and so on. In this article, I focus on the strategies migrants use to navigate the categorization and deservingness embedded within the Italian immigration regime, which is characterized by increasing selectivity and restriction, but also by sudden openings, opportunities for manoeuvre, and manipulation (Calavita, 2005; De Blasis & Bonizzoni, 2024; Dimitriadis, 2018; Schuster, 2005; Tuckett, 2018). I'm particularly interested on irregular, unwanted, or legally precarious migrants who attempt to achieve a legal status by appropriating state categorization through two key labor migration policies in Italy: mass amnesties and the annual quota system for the admission of foreign workers - known as '*decreto flussi*'. Due to the unique place of the domestic sector within these policies, the article highlights the strategies of pretending to be domestic workers to archive a resident permit for work reasons

Methods

This article draws on extensive fieldwork, observation and qualitative interviews conducted as part of various research projects and professional experiences between 2018 and 2024. Since 2018, I volunteer for a non-profit organization in a city located in northern Italy providing free legal and paralegal assistance in administrative procedures related to visa and residence permits applications. The 'legal help desk' of this organization provides guidance and support in family reunifications processes, obtaining and renewing work-related residence permits, asylum claims, citizenship applications. Since early 2021 and up to late 2024, during my Post Docs, I engaged in several periods of participant observation at the legal help desk of this organization. My activities in these periods included observing the work of para-legal and legal practitioners, providing information to immigrants at the welcoming desk, booking appointments with internal case managers or external legal experts, attending weekly staff's meetings, and helping organize various events. My presence for research purposes was agreed upon with the managers; the staff and volunteers were informed about of my position as researcher.

Since 2021, in the framework of different research projects, I have also conducted several interviews with migrants, public officials, civil society organizations, lawyers, and service centers providing immigration services in different cities of Central and Northern Italy, with a particular focus on the implementation of labour migration policies, particularly the mass, employment-based amnesty for the regularization of irregular and precarious legal status migrants (such as asylum seekers) that occurred in 2020 and resulted in over 200,000 applications; and the annual quota system for admitting foreign workers (so-called *decreto flussi*), which after years of restrictive

policies, authorized over 450,000 entries for the period 2023-2025. This article draws on 17 semi-structured interviews conducted with migrants who participated in the 2020 amnesty and the 2023 and 2024 annual quotas system procedures. The interviews specifically explored migrants' experiences with these bureaucratic procedures, their legal status trajectories, and the role of legal-administrative intermediaries. Interviewed migrants are mostly males (14 men and 3 women). They come from South America (Perù), Africa (Ghana, Nigeria) and Asia (Bangladesh, Pakistan, Philippines). Approximately half were asylum seekers, and the other half were undocumented; one interviewee was a long-term resident. Most were first encountered when they sought assistance from the organization I volunteered and conducted participant observation, and were subsequently interviewed to follow the outcome of their procedures. In addition, I knew some of these migrants from my previous work experience in the asylum reception system¹; some informally reached out to me following the announcements about the 2020 amnesty, and I referred them to the help desk of the organization. In some cases, I came into contact with migrants through private intermediaries who handled their procedures (especially regarding those involved in the 2023-2025 'decreto flussi'). Although some migrants knew me for my role as a volunteer in the legal aid organization, I informed them about my position as a researcher and conducted the interviews only after obtaining their informed consent². For the purposes of this article, I selected individual cases and interviews based on biographies that described strategies for navigating the procedures related to the 2020 amnesty and the 2023-2025 annual quota system and their uneven outcomes. The interviews have been transcribed, pseudonymized, and analysed with the opensource software Taguette through thematic coding.

Italian labour migration regime and the place of domestic workers

Italy has been one of the main destinations for labor migration in Europe since the 1990s, and one of the main countries affected by the so-called refugee crisis of 2015. The admission and stay of non-European citizens are regulated by the 1998 Consolidated Immigration Act and subsequent amendments, which was introduced in the wake of Italy's accession to the Schengen regime, under strong pressure from European states calling for greater efforts from Italy in controlling borders and irregular immigration (Finotelli & Sciortino, 2009). Since then, the increasing politicisation of immigration, the Great Recession, the refugee crisis, and the rise of far-right parties have made migration policies even harsher and more selective.

Regular entry from abroad, following a 2002 reform that abolished the so-called sponsor system (which allowed admission with a job-seeking visa), is permitted almost exclusively within the framework of annual quotas and after a job offer from an employer residing in Italy. Additionally, the residence permit system has been made largely contingent on employment; the duration of work permits has been reduced and tied to the length of employment contracts, making migrants' stay more precarious and insecure (Zincone, 2006). A 2009 reform—the so-called "security package"—further criminalized irregular migration (Ambrosini, 2013; Triandafyllidou & Ambrosini, 2011). Since 2011, the Arab Springs and the so-called refugee crisis have inspired new measures aimed at curbing irregular departures, entry, and the stay of unwanted migrants. Law Decrees No. 113/2018 and No. 53/2019, commonly known as the "Security Decrees" or "Salvini Decrees," as well as Law Decree No. 20/2023, referred to as the "Cutro Decree," have introduced several restrictive and overly securitarian policies that have significantly affected the legal provisions and protections for migrants in Italy, particularly asylum seekers from poorer countries in the Global South (Campomori & Ambrosini, 2020; Caponio & Cappiali, 2018; Echeverría & Finotelli, 2024; Geddes & Pettrachin, 2020). At the same time, the influx of asylum seekers contributed, on the one hand, to restrictions in the admission of foreign workers from 2011 to 2020 (see Figure 1 and 2), and, on the other hand, to changes in the composition of the migrant workforce - what Dines and Rigo (2015) refer to as the process of 'refugeezation of workforce' - particularly in agriculture (Corrado & Palumbo, 2022).

Amnesties, annual quotas, and the domestic sector

While it is well known that Italy’s migration regime hinders regular migration from abroad and creates high levels of irregularity and legal precarity among resident migrants, it is also marked by an unresolved contradiction between the declared fight against irregular migration and unwanted migrants, and the need to ensure a supply of low-cost, low-skilled labor in positions that natives no longer wish to fill (Ambrosini, 2016; Calavita, 2005; Colombo & Dalla-Zuanna, 2019; Devitt, 2025; Fullin & Reyneri, 2011). This has led to the cyclical use of often sudden, time-limited windows of opportunity through the two main tools for managing labor migration: the annual quota system for the admission of foreign workers, which has allowed over 3 million entries over the past 25 years; and periodic mass amnesties for the regularization of irregular

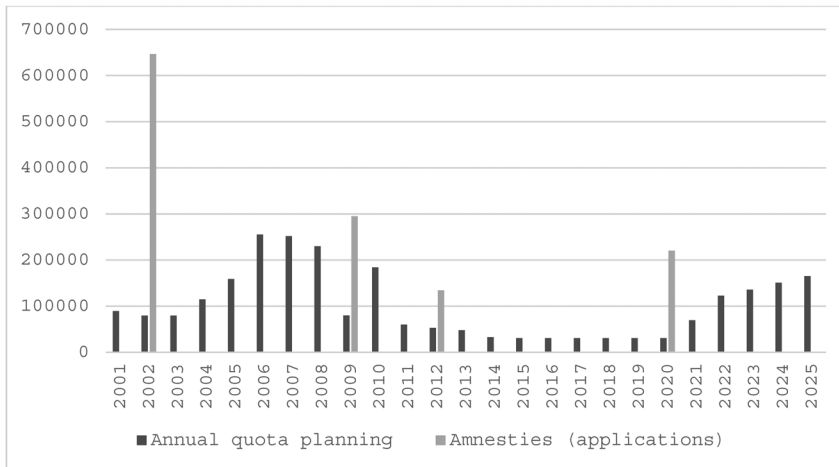


Figure 1. Annual quota planned for the admission of foreign workers and mass, employment-based amnesties, 2001-2025. Source: Author’s elaboration based on data from Ministry of Interior and annual quota decrees. The 2006 data do not include approximately 350,000 quotas that were granted ex post by drawing from the pool of excess applications

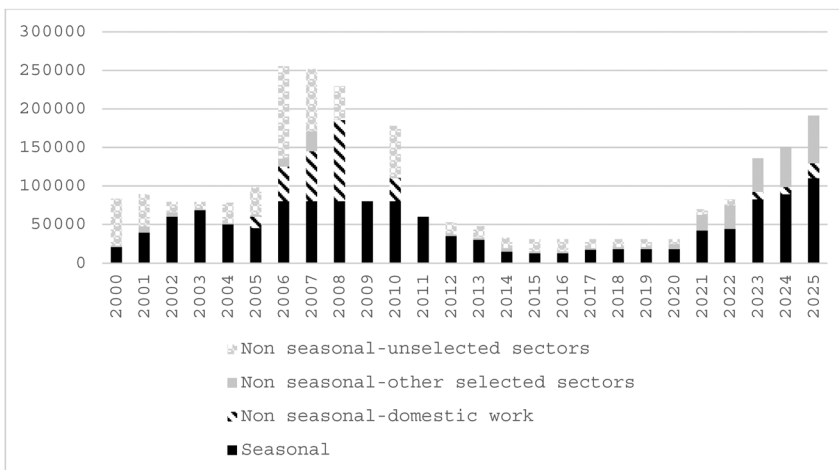


Figure 2. Annual quota planning by type of work, 2000-2025. Source: Author’s elaboration based on data from Ministry of Interior and annual quota decrees. The 2006 data do not include approximately 350,000 quotas that were granted ex post by drawing from the pool of excess applications. The “non-seasonal, unselected sectors” category includes quotas reserved for the conversion of existing residence permits (e.g., for seasonal work, study, self-employment, or EU long-term residence), which accounted for most non-seasonal quota allocations between 2012 and 2019.

workers, mainly implemented to manage the consequences of an entry system that does not function properly, which have resulted in the issuance of nearly two million residence permits between 1986 and 2020³.

Over time, both mechanisms have become progressively more selective, linking deservingness of admission and stay to ‘essential’ employment (and employers) in selected economic sectors, such as domestic work and, more recently, agricultural labor.

The domestic sector, particularly, has held a privileged position within Italy’s immigration regime (Ambrosini, 2023; Bonizzoni, 2017; Calavita, 2005). The aging population, a family-centered welfare system, and the feminization of labor have contributed to making domestic workers more socially tolerated and a focus of particular attention by governments, even during periods of restriction and closure. As evidence of this, the mass, employment-based amnesties that took place between 2002 and 2020 largely targeted the regularization of informal employment relationships in this sector, sometimes exclusively (in 2009) as shown in [Table 1](#) below.

Similarly, the annual quota system has at times reserved privileged quotas for the domestic sector—particularly between 2005 and 2010, when over 260,000 entries were authorized. Although to a lesser extent, and following nearly a decade during which new entries were almost exclusively limited to seasonal work, the 2023–2025 planning once again allocates quotas to the domestic sector: 9,500 in 2023, 9,500 in 2024, and 19,500 in 2025.

Furthermore, the privileged position of the domestic sector—and relatively ease of access to a domestic employment contract - is evident in the specific requirements that these procedures impose on employers for hiring from abroad or regularizing workers. For instance, employers can also be individuals or families, for whom income requirements are usually lower compared to those for businesses. Additionally, unlike in other sectors, employers are usually allowed to hire part-time workers.

Scholars have shown that, in contexts of restricted mobility and labor market segregation and segmentation based on gender, nationality, legal status, and other factors, domestic work often serves as a transitional sector. Migrants frequently cycle through low-skilled, low-paid jobs—for example entering through domestic work, moving into agriculture, and sometimes returning to domestic work later in life, with phases of irregularity marking these transitions (Corrado et al, 2024; Palumbo, 2024). The domestic sector, in itself, is also characterized by specific moral relationships and norms (Ambrosini, 2023; Bonizzoni, 2017; Näre, 2011) between workers and employers. Specifically, the moral economy of domestic work in Italy favours the creation of “close, dyadic and trustworthy relationships” (Bonizzoni, 2017, p. 1657), which can facilitate access to key resources for obtaining legal statuses (such as employment or housing proofs), though often at the cost of establishing binding and exploitative relationships (see, for examples on different contexts, Triandafyllidou, 2013). Yet, due to the structural features of Italy’s labour migration regime, both mass amnesties and the annual quota system are also subject to distortions, manipulations, and grounds for the construction of new migrants’ legal subjectivities and identities (Bonizzoni et al., 2024; De Blasis & Bonizzoni, 2024; Tuckett, 2015).

As expected by the staff at the help desk, the new decreto flussi seems to be pushing migrants to pretend to be domestic workers just like the 2020 amnesty (...) [Vanessa, paralegal operator] pointed out that nearly all applications for the hiring of domestic workers appear to concern male workers, even though nine out of ten employees in the domestic sector are actually female. (Field note)

It is indeed in the implementation of these two policies that can be observed from a privileged standpoint the ‘work of legal status’ of many immigrants facing Italy’s immigration regime.

Table 1. Mass amnesties, economic sectors involved, 2002-2020.

Year	Sectors involved
2002	Initially domestic sector only, then extended to all sectors
2009	Domestic sector only
2012	All sectors
2020	Domestic sector and agriculture only

Source: Author’s elaboration.

In the next paragraph, I will show how unwanted, irregular migrants or those with highly precarious legal status attempt to navigate categorization and deservingness within the Italian immigration system by pretending to be domestic workers in their efforts to legitimize entry and stay. The analysis is situated within the framework of the latest mass amnesty of 2020 and the most recent annual quota planning for 2023-2025, which have provided opportunities for the regularization and entry of domestic workers after roughly a decade of restrictions.

Pretending to be domestic workers: stories of successful performance of deservingness in achieving legal status

Given the prominent role that domestic work has played in Italy's restrictive immigration regime, pretending to be domestic workers has become a well-established phenomenon, almost a rite of passage for migrants seeking to regularize their legal status or enter the country legally from abroad (De Blasis & Bonizzoni, 2024; Tuckett, 2018). Four stories demonstrate how navigating deservingness within the Italian labor regime can lead to the acquisition of a residence permit through acts of 'successful performance of deservingness' (Chauvin & Garcés-Mascareñas 2014). Additionally, these stories shed light on how such strategies are pervasive, involving migrants who have overstayed their tourist visas, asylum seekers who have become irregular or are at risk of doing so, and family members of legally residing migrants.

Pedro's story highlights how these mechanisms create processes of conformity among those who enter Italy exploiting the tourist visa exemption regime, and then remain as irregular migrants. After arriving in Italy from Peru in 2018 with the intention of overstaying his tourist visa, Pedro found informal work at a Peruvian restaurant. The first time I met him, in 2019, Pedro and his employer were seeking information about ex-post regularization paths. However, they soon left the office with the news that, given Pedro's circumstances, it was not possible to obtain legal status in Italy.

Shortly after, with the onset of the COVID-19 pandemic, the Italian immigration regime unexpectedly opened a new window of opportunity by implementing its latest mass amnesty for workers. Pedro was among the first to show up at the assistance center with the intention of securing a residence permit, but he quickly realized he would have to redefine his identity once again. Having first posed as a tourist and then become an irregular migrant, Pedro understood that his job at the restaurant would not be eligible under the criteria of the regularization process, which was limited to the domestic and agricultural sectors.

About a week later, when the regularization procedures began, Pedro returned to the center with his employer to proceed with the application. Since his actual employment could not be formalized for the purposes of regularization, Pedro was officially hired as a domestic worker by the restaurant owner's family. Once he obtained his residence permit through the amnesty, he was rehired at the restaurant. "Category traversing" (Choi & Kim, 2025), in this case, thus manifested as a shift in both legal and employment status, as he moved from being an undocumented, irregular worker in one sector to becoming a documented, regular worker in another, and shortly thereafter being recategorized as a documented regular worker in the original sector. This highlights the transitional nature of domestic work, even when no actual employment in the sector takes place.

It's a weird system where someone has a job in Italy but still can't regularize their status... So when the amnesty came out, I thought I could get a residence permit, but then they told me that no, my job wasn't suitable. So I had to do this thing... I had to have my employer hire me as a caregiver in his home. Then, once I got the document, I resigned and was hired at the restaurant with a proper contract (Pedro, interview).

Faisul's story, a Bengali man who had been in Italy for many years and was informally employed in a grocery store, exemplifies how the selectivity of such amnesties pushes even precarious asylum seekers informally employed in the labour market to pose as domestic workers in their

struggle for legal status. Having arrived in Italy in 2015 by sea from Libya, Faisal applied for asylum and was placed in the reception system, in a facility not far from the center of a northern Italian city. To Faisal, presenting himself as asylum seeker was the only way to remain legal in Italy. By the time of the 2020 amnesty, Faisal was however in a state of extreme legal and social precarity: his asylum claim had been rejected in the first instance, the decision on his appeal was approaching, and there was a real risk of him becoming undocumented. This prompted a process of category traversing from asylum seeker—legitimizing his presence on humanitarian grounds—to repositioning himself as an ‘essential’ worker aligned with the needs of the Italian labour market. During the interview, he explained that the uncertainty about his future led him to reach out to some fellow countrymen to find an employer willing to fictitiously hire him as a domestic worker. After paying a large sum of money, amounting to 3,000 euros, and pretending to be a domestic worker, Faisal was able to obtain a residence permit for work purposes.

When the amnesty was announced, I thought there was a chance to obtain a residence permit because I was really in great difficulty... There was a risk that I would have to leave the reception facility and become undocumented because my asylum claim had been rejected. So I thought I had to do something... What could I do? I had no other choice but to pay someone to give me a contract as a domestic worker (Faisal, interview)

Lidia’s story, arrived in Italy from Peru with a tourist visa in 2021, illustrates how the performance of pretending to be domestic workers permeates the annual quota system for the admission of foreign workers. Given its dysfunctionality and incompatibilities with the mechanisms of the Italian labor market (notably, the fact that no one would ever hire someone remotely for their home or small business) (Devitt, 2025), the quota system is known to be subject to distortions and manipulations. Among these is the use of it as a sort of disguised amnesty to regularize one’s legal status. Following the announcement of the new 2023-2025 plan by Giorgia Meloni’s right-wing government, which included the domestic sector after over a decade of absence, the organization I volunteered and the intermediaries I interviewed quickly filled with migrants seeking information, like what happened during the 2020 amnesty. Among them was Lidia, accompanied by an acquaintance, who were inquiring about the requirements needed for the latter to act as an employer and allow Lidia to obtain a residence permit. In a subsequent interview, Lidia revealed that her strategy, which turned out to be successful, was one adopted by many of her acquaintances: once the application for employment as a domestic worker was submitted by the employer and approved, the strategy involved leaving Italy, returning to her home country, obtaining an entry visa, and then re-entering Italy as a legal resident.

I heard from my acquaintances about the possibility offered by the *decreto flussi*... many people I know have done it in the past, so I thought I would give it a try as well. I found someone who was willing to do me a favour, willing to hire me fictitiously because I didn’t have any documents... so I went back to my country, got the visa, and then returned to Italy. Now, I have a residence permit and work in a clothing store (Lidia, interview)

Elienor’s story, a Filipina who has been in Italy for many years, holds a permanent residence permit, and works as a domestic worker, is emblematic of how pretending to be a domestic worker can also be used strategically by those with relatively secure legal status, to allow the entry of relatives and family members for whom other channels of entry are not available. Partly because the tourist route is nearly inaccessible for Filipinos—who are required to obtain an entry visa—Elienor explains that legal entry opportunities into Italy are largely limited to the annual quota system for foreign workers. In this case, Elienor took advantage of the opportunities that arose after years of closure to facilitate a disguised family reunification for her sister Catherine (siblings are not among the relatives eligible for reunification under Italian family reunification laws).

Instead of traversing categories herself, Elienor put in place a process of ‘category fitting’ for her system residing abroad.

For us Filipinos, entering Italy has become increasingly difficult... This year, after many years, the quota decree was issued, so we thought of asking my employer, who is a wealthy family, to sponsor my sister's admission. They agreed, even though they didn't need another person; we did it just to bring my sister into the country because there was no other way.

As she explains in this interview, she leveraged her trustworthy relationship with her employer—an affluent Italian family—to request the hiring of her sister, knowing that Catherine would be looking for work elsewhere upon entering Italy and would never actually work as a domestic worker.

Collateral effects: stories of failures in achieving legal status

The brief stories recounted above illustrate a strong capacity for agency among migrants as they navigate the Italian immigration regime and exploit the small openings available in an increasingly selective and restrictive context. However, the success of the trajectories described should neither be generalized nor overestimated. Navigating deservingness in the Italian labor regime by strategically appropriating state categories is far from a straightforward process, and the outcomes are anything but guaranteed. Pretending to be domestic workers involves significant dependence on the will and intentions of fictitious employers, the timing of policies, and the unpredictable bureaucratic processes usually associated with them (Geoffrion & Cretton, 2021; Borrelli & Andretta 2019). For each story of small success—whether entry into Italy or the recognition of legal status—there are countless others that speak of an arduous journey filled with obstacles, risks, and failures. Highlighting the randomness of recent legalization processes in Italy, for many migrants forced to present themselves as domestic workers—often having to pay to secure a work contract—this strategy carries the risks of status immobility, as well as deception, fraud, and legal limbo.

The organization where I conducted participant observation, in the months and even years following the 2020 amnesty, was often filled with individuals caught up in the complexities of navigating the system. Since the regularization applications were entirely in the hands of employers, migrants had no way to verify the actual submission of their applications or track their progress. Many had fallen victim to deception or were still waiting for a residence permit due to administrative delays in processing their applications (see also Bonizzoni et al., 2024). Many experienced long periods of limbo in which, without a residence permit but only with the receipt of their submitted application, they were unable to leave Italy and faced difficulties in accessing the most basic welfare services. Furthermore, it was not uncommon for migrants to show up at the help desk of the organization because applications to have never been submitted at all, or for it to be discovered after a long period that they had been submitted without meeting the necessary requirements imposed on employers by the procedures.

There are so many [migrants], who in many cases appear to be asylum seekers, who have been deceived and are asking for information at the help desk on how to address the situation (Field note).

The story of Marcus, a rejected asylum seeker from Sub-Saharan Africa, is emblematic of the challenges migrants face. He recounted paying €3,000 to an Italian employer who was supposed to apply for his regularization as a domestic worker. However, after more than a year of waiting for the evaluation of his application, Marcus discovered that the employer did not meet the income requirement (€20,000), and his application was rejected. In the meantime, the fake employer had disappeared, leaving Marcus in the same irregular status he had before, but now burdened with a debt to repay.

I borrowed €3,000 from my fellow countrymen and paid someone to apply for my regularization. Time passed, and I received no updates, so I started calling him repeatedly. But at a certain point, he disappeared, and I couldn't reach him anymore. Only now have I discovered that I was deceived. My life is ruined—I've lost both the money and the opportunity to obtain a residence permit (Markus, Interview)

Similar dynamics also emerged with the 2023-2025 quota decree (De Blasis & Bonizzoni, 2024). Many were deceived in this system as well, as illustrated by the story of Amin, an asylum seeker who paid €2,000 to a fellow countryman to act as his employer and €700 to a private service centre to handle the administrative procedures. In this case, the fraud was orchestrated by the service center, which, taking advantage of the uncertainty and ambiguity in the procedures, led Amin to believe that asylum seekers already in Italy could participate in the process. Only later did Amin discover that this was not true, as the quotas were reserved for refugees residing abroad. His strategy of category traversing from asylum seeker to regular worker ultimately proved unsuccessful and detrimental.

They had told me that asylum seekers could obtain a residence permit through the quota decree, so I turned to a fellow countryman who arranged a contract for me as a domestic worker. Then, one day, this person called me and said that the application was invalid because I was already in Italy (Amin, Interview).

The quota system is also known to function as a sort of lottery with unpredictable outcomes and low chances of success, even when the requirements are met. Given the extremely limited number of positions available for worker entry, there are consistently excess applications—up to ten times the available slots—leaving hundreds of thousands of aspiring workers outside the system each year⁴. It was not uncommon for people to turn to non-profit organization or lawyers after being misled by other intermediaries managing the administrative procedures. One such case is that of John, who has been in Italy for some time and in 2023 attempted to bring a relative by having them employed as a domestic worker by the head of the small construction company where he works. The lawyer downplayed the low chances in this system and even promised a 100% guarantee of obtaining a residence permit to secure payment. However, the admission application fell outside the quota limits, jeopardizing Jhon's efforts to facilitate his cousin's entry into Italy.

Even for those who succeed in the early stages of the system - securing a spot within the quotas, obtaining a visa and subsequently (re)entering Italy - as Rhai's story illustrates, the process of obtaining a residence permit can prove to be highly complicated. Under the decreto flussi system, once workers enter Italy, they must request an appointment within eight days to apply for a residence permit for employment purposes. They are required to attend this appointment with the employer who submitted the hiring application. However, Rhai's employer refused to cooperate and became unreachable, leaving him in a state of legal limbo, unable to access even basic local welfare services. This is because the legislation only addresses the case of the employer's death or formal resignation from hiring the workers, permitting the migrant to apply for a residence permit for 'job seeking' (*permesso di soggiorno per attesa occupazione*). In Rhai's case, as well as for other migrants who sought assistance from non-profit organizations or lawyers I interviewed⁵, this option was not possible due to the lack norms addressing such cases and the refusal of the Police Headquarter to grant the 'job seeking' permit. Consequently, Rhai, who had initially entered the country legally -albeit under a fictitious domestic work contract - became an irregular migrant.

Conclusions

Drawing on qualitative interviews, participant observation, and migrant life stories, this article has delved into the complex interplay between deservingness in immigration regimes, categorizations, legal statuses, and migrants' strategies of navigation.

By highlighting the active role of migrants in manoeuvring within restrictive immigration regimes, this study is illustrative of how state-created categories, rather than being fixed, are inherently ambiguous and malleable. Migrants, particularly (but not only) irregular(ized) and legally precarious ones, do not passively accept these classifications; instead, they appropriate, manipulate, and traverse them—strategically positioning themselves to gain legal recognition. Within the Italian labor immigration regime, access to legal status is closely tied to employment

in so-called ‘essential’ positions, with the domestic sector often serving as one of the few viable pathways for the admission and regularization of migrants. The article demonstrated how the logic of deservingness embedded in Italian labour migration policies compels many immigrants to engage in the appropriation and instrumental use of state-imposed categories, particularly by presenting themselves as domestic workers. Many of those who enter as tourists and overstay their visas, those fleeing poverty and conflicts but deemed unworthy of protection, and those in their countries of origin wishing to reunite with family members, almost inevitably must conform to the categorization of domestic workers to be legalized or admitted as ‘regular’ migrants. To become or remain ‘legal’, migrants thus recurrently and actively redefine themselves through a process of *category traversing* from being tourists, undocumented, or asylum seekers to (domestic) workers; moreover, resident migrants also engage in a process of ‘*category fitting*’ to allow the admission of relatives and family members abroad.

The paper also demonstrated that these processes are intersectional across different legal and occupational statuses. They involve not only migrants situated along a spectrum of legal conditions—from undocumented and legally precarious individuals seeking to obtain or improve their status, to long-term regular residents facilitating the admission of relatives—but also cut across various forms of employment. This also points to the transitional nature of domestic work. Migrants irregularly employed in non-prioritized sectors (regardless of whether they are undocumented or asylum seekers) may reposition themselves within state-favored work-related categories and then move out as soon as they get a residence permit—in the case of Italy, by moving into the domestic work sector and later shifting back to their previous occupations as regular workers. At the same time, those with regular employment in key sectors (the domestic work in the case of Italy), may mobilize resources to support the categorization of their relatives as deserving of legal entry and residence.

Lastly, the article documented how this process of appropriating, manipulating, and traversing various legal and occupational categories to obtain legal status is multidirectional and far from linear. While such strategies of navigation demand significant investments of time, financial and social capital, yet their outcomes are unpredictable and anything but guaranteed. By foregrounding and emphasizing the agency of migrants who are actively seeking to legitimize their presence in a restrictive and selective immigration regime, the article highlighted how these strategies of self-redefinition and alignment with state-deserving logics can lead to a successful performance of deservingness, ultimately facilitating the achievement of (less precarious) legal status. Nevertheless, the article also underscored the inherent unpredictability, randomness and violence of ‘legalization’ processes and attempts: while some individuals succeed in navigating the system, many others find themselves ensnared in these complex trajectories, often facing devastating consequences that can profoundly affect their lives. In their efforts to engage in the process of being categorized as deserving (domestic) workers, many are deceived, defrauded, and find themselves trapped in time, space, and (il)legal statuses. In this process not only does individual agency play a crucial role, but so too does the involvement of various intermediary actors (as, in the case examined, non-state intermediaries such as employers, lawyers, social networks, and so on) who mediate the relationship between migrants, migration policies, and state bureaucracies. In further research, greater attention should be devoted to the role of these intermediaries in receiving context of international migration, both in the processes of constructing, deconstructing, appropriating, and contesting categorizations, and in reproducing suffering, exploitation, exclusion, and inequalities.

Notes

1. Between 2018 and 2019, I was employed by a ‘social cooperative’ that managed various reception centers for asylum seekers and refugees in northern Italy.
2. The research design and methods were approved by the Ethics Committee of the universities where I was employed as a Postdoctoral Researcher.

3. Own elaboration based on annual decrees and data from Ministry of Interior.
4. For example, in 2024 there were over 110,000 applications out of 9,500 slots available for the domestic sector. See Decreto flussi 2024, click day del 18, 21 e 25 marzo: 690mila istanze già presentate | Ministero dell'Interno. Following the recent changes introduced by Law Decree 145/2024, the number of applications in 2025 matched the planned quotas. According to the “Ero Straniero” campaign, this is largely due to the heavy bureaucratic burden imposed by the new procedure, which discouraged many employers from using it to hire workers.
5. See, in this regard, also the report from the civil society association network “Ero Straniero” at the following link: <https://erostraniero.it/wp-content/uploads/2023/12/Dossier-decreto-flussi-dicembre-2023.pdf>.

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