going beyond visible: unpacking the detrimental consequences of male-dominated forced economic migration on the human rights of women and children left behind in Tajikistan

Millions of people are forced to leave their home countries due to economic insecurity. Deprived of the ability to provide for themselves and their families, people have to migrate elsewhere in search of economic opportunities. While the academic and policy conversation surrounding the human rights aspect of forced economic migration often revolves around the experiences of labor migrants in recipient countries, little attention has been given to those left behind. Consequently, the state’s failure to supply economic security has been recognized by the field discourse as the root cause responsible for forcing people to become labor migrants (Gzesh 2008). However, what has been largely overlooked is the additional state failure to provide social protections to the layers of society that bear the adverse consequences of labor migration at home.

Tajikistan is one of the largest suppliers of labor migrants as a portion of the population. It is a particularly interesting case to study as it sheds light on the gendered nature of forced labor migration. Tajik labor emigrants of the predominantly male population move, most frequently, to Russia to work there illegally as blue-collar employees and send remittances back to their families. Although there are many apparent human rights issues involved in labor migrants’ day-to-day experiences, including inhumane working conditions, the confiscation of passports, and the retention of salaries by employees and intermediaries (International Federation on Human Rights 2011), a closer examination of the broader domestic implications reveals a much larger range of long-term consequences adversely and permanently affecting the ‘left-behind’ population. Wives
and children of the migrant men are often left in a particularly vulnerable position as a result of the existing trend of migrant men abandoning their families and cutting off the remittance supply (Laruelle 2007, 118). Domestic socio-cultural contexts exacerbate the severity of a declining standard of living of the left-behind women and children by multiplying the existing pressure through mechanisms of social stigma and “domestic exclusion” (Asian Development Bank 2016). This, in turn, is associated with a subsequent decrease in the level of children's education and the deterioration of gender inequality (Malyuchenko 2015, 12).

In the case of Tajikistan, this is particularly illustrative of the state’s failure to both provide economic opportunity, pushing its people to seek jobs elsewhere, and ensuring the social and legal protection of the women and children directly affected by their "abandoned" status (Asian Development Bank 2016). This raises a number of critical questions: What can an economic migrant supplying state do to mitigate the adverse consequences to the vulnerable left-behind groups? What can be done to hold that state accountable for failing to protect the rights of its citizens? What is the responsibility of the destination state and the broader international community in this matter? In this essay, I intend to briefly review the existing human rights literature on the prevalent issue of forced economic migration, explore the issue of domestic consequences affecting left-behind women and children in greater detail on the case of Tajikistan, make an argument on responsibility of the state, and propose potential steps to address the issue.

Forced economic migration as a state failure to uphold human rights

The relationship between an individual and a state is often described in the context of the social contract. The individual agrees to accept the ultimate authority of the state and abide by the mutually agreed upon rules, willingly forgoing part of their freedom, in exchange for the state's protection of their human rights. Consequently, the state assumes a responsibility to ensure the
security of an individual’s rights, including the right to work and receive fair remuneration sufficient enough to provide them and their "family with an existence worthy of human dignity" (UN Declaration of Human Rights, Article 23). While this view of the state-individual relationship model is broadly accepted to be the fundamental basis of a nation-state, it rests upon the assumption of the full capacity of a state to provide its end of the bargain. Asymmetry of accountability in this case where a state can hold a citizen responsible for her failure to abide by the rules of the game, whereas the citizen's ability to hold the state responsible is limited, leaves a wide-open door for the impunity of the sovereign state.

A state’s failure to deliver the economic opportunities to act upon the human right to have a decently paid job and an adequate standard of living (UNDHR, Article 23, 25) cannot be legally punished, although it is one of the most prevalent social issues across developing countries. Lack of opportunities to provide for themselves drives individuals to make uneasy decisions of either continue enduring the consequences of their condition or search for alternatives. Emigrating toward economic opportunities is, thus, a rational strategy of “adapting” to the unsatisfied need of sustaining oneself and their family, even if it means accepting the illegal migrant status and all potential insecurities pertaining to it (Hondagneu-Sotelo 1992, 395).

Conventionally, economic migration has been viewed as a natural market process. Individuals, leaving stagnant and/or underdeveloped labor markets in search of more appealing economic opportunities, migrate toward “destinations of capital abundance and labor scarcity” (Semyonov and Gorodzeisky 2005, 46). This technical characterization of economic migration, despite its accuracy and wide applicability, downplays its potentially “forced” nature. Although labor migration is indeed often driven by the search for “better-paying jobs” and a higher standard of living, in some cases it is extreme poverty that people have to flee from by becoming labor migrants (Semyonov and Gorodzeisky 2005).
A few relatively recent scholarly works in the field of human rights call for a reconsideration of the definition of forced migration to include migrants fleeing economic hardship (Gzesh 2008). While, according to the UN Convention Relating to the Status of Refugees, only a threat of “political or other forms of persecution” qualifies as a legitimate reason for a person to be granted a refugee status, “poverty [and] economic underdevelopment” can be a strong root cause of forced migration too (UNHCR 1951, Schmeidl 1997, 287). The choice “to move to improve their lives by finding work” that the term “economic migrant” assumes an individual to have is not necessarily theirs to make (United Nations 2018, Gzesh 2008). The conditions that make individuals seek economic opportunities elsewhere are beyond their control. Thus, forced economic migration should not be considered in terms of profit-maximizing voluntary endeavor, but should be viewed as a consequence of the human right abuse.

Admittedly, unlike with politically-charged violence, economic hardship lacks a well-defined perpetrator that precludes an individual from practicing its human rights. Additionally, it is more difficult to measure the level of personal insecurity that such structural variables as the lack of economic opportunities impose on an individual. Indeed, it is often the case that the economic underdevelopment of countries of the global South can be traced back to the colonial legacies that precluded them from natural and timely development (Portes 1978). Consequently, the establishment of the abuser of human right to work to provide a decent standard of living might not be particularly straightforward. However, in view of the lack of a higher authority that would assume the responsibility for supplying and upholding the human rights, and due to the very organization of the institution of international law centered around nation-states, the state government is the closest entity to be held accountable for the proper provision of human rights. As Hannah Arendt stated, “the restoration of human rights [was] achieved… through the restoration or the establishment of national rights,” pointing at the inseparability of one from the
other (1976, 299). In this sense, forced economic migration should be considered as the consequence of state failure to protect its citizens’ human rights.

**Gendered nature of forced economic migration**

Forced economic migration shapes and is being shaped by unequal gender relations within migrant supplying countries. According to Hondagneu-Sotelo, domestic gender roles often expect men to provide for their families, be a primary ‘breadwinner’ regardless of the economic circumstances (1992). Under the pressure to find economic opportunities elsewhere, “patriarchal autonomy” allows men to be independent in their decision-making to become labor migrants (Hondagneu-Sotelo 1992). In the context of Mexican labor migration to the United States, at the family level, while a married man makes a decision to migrate in search for ways to maintain a decent standard of living for their families, the wife is expected to stay behind taking care of the children and the household (Hondagneu-Sotelo 1992, 394). This characterization of gender roles is consistent with what Moghadam refers to as "patriarchal gender contract" that assigns women the responsibility of a care provider in the domestic sphere, while men are supposed to ensure socioeconomic security of their families (2004).

Men not only tend to be more pressured to become economic migrants due to domestic social contexts within developing countries, but they also face better financial prospects relative to women. As Semyonov and Gorodzeisky's quantitative analysis of the difference in remittances sent by Filipina and Filipino labor migrants demonstrates that on average migrant women earn less than men and send a lower proportion of their income back home (2005). This points to the incentive-driven rationale behind the male-dominated nature of labor migration and the relative absence of women from the scholarship on human rights of forced economic migrants.
Although I recognize the importance of addressing the issue by focusing on the active agent of the story – an average male labor migrant in a foreign country, – I also want to push the perspective of the conventional way of thinking about it. What the active agent-centered approach prevalent in the existing academic and policy-related literature largely overlooks is the impact of the process of forced economic migration on the seemingly passive actors – those left behind. Women and children are often portrayed and only briefly mentioned in the role of benefactors from the received remittances, potential victims of volatile remittance flow, and families to return to (Moyo 2009). Quite a few academic pieces treat them as having stories of their own. Yet, a wider lens by which to consider the broader domestic context of forced economic migration opens an entirely new set of understudied human rights issues that should not remain unaddressed.

The broader implications of the male-dominated nature of labor migration lie in the high degree of women’s dependency on their husbands’ decision to keep supporting their family from abroad. As the experience of Tajikistani women demonstrates, labor migrant men do tend to start new lives in their destination country, Russia, while ceasing to support their families (Laruelle 2007, 118). Hondagneu-Sotelo’s qualitative study suggests that Tajikistan is not an isolated case. Mexican women report having a high level of fear of being “an abandoned woman” but can do nothing due to the “economic need” to resort to labor migration (1992, 400). “Out of ten men…, six return home. The others… just marry another woman and stay [in the US], forgetting their wives and children in Mexico” (Hondagneu-Sotelo 1992, 400). Given the lack of economic opportunities in such developing countries that push men to become economic migrants in the first place, women find themselves in a vulnerable position where their standard of living can significantly deteriorate even further.
State incapacity to provide social protection for the individuals, whose families were left without any source of income in the context of the lack of employment opportunities, unleashes a myriad of social processes that result in a variety of other violations of their human rights. In addition to the right to desirable work violated by depressed labor market conditions, it leads to the violation of rights to an adequate standard of living, rest and leisure, education, equality, and even freedom from slavery in the most extreme cases. For example, as the household income of abandoned families shrinks, women as heads of households have to make decisions to cut consumption spending, resulting in the worsening of their standard of living. By willing to work in any conditions, women often have to enter jobs with long hours and low pay that infringe upon their rights to rest and leisure. The following section explores the human rights implications of large-scale forced economic migration to the families left behind in greater detail.

**Case study: Tajikistan**

The independent Republic of Tajikistan emerged as a result of the dissolution of the Soviet Union. Previously largely dependent on Soviet subsidies and partly artificially sustained demand for cotton and aluminum, Tajikistan underwent serious economic challenges in the 1990s. In the period of the critical decade when other post-Soviet Central Asian countries were actively rebuilding their economies to integrate into the global market economy, Tajikistan got trapped in a devastating civil war of 1992-1997 that significantly affected state economic capacity (Government of Tajikistan 2010). These factors resulted in Tajikistan entering the 2000s with no sound infrastructure and social welfare provision, and with 83 percent of the population living below the national level of poverty (Khushvathova and Khudoba 2003). In this conditions, high level of poverty complemented by Tajikistan's proximity to unstable drug and arms trafficking Afghanistan contributed to an expansion of the black market and organized crime that was
allegedly facilitated by Tajik government in view of no other sources of state income. This
criminalization of formal channels, in turn, even further deteriorated the prospects for economic
development as the image of a corrupt, “lawless, narco-terror” state repelled the remaining
chances for foreign direct investments (Engvall 2006, 840).

Due to the lack of economic opportunities along legal dimensions, Tajik people in the
early 2000s were pushed to adapt by resorting to labor migration. Blessed with natural resources
and capital of production, a more economically developed Russia was an appealing destination.
Rapidly developing economy in the context with aging domestic population, Russia was offering
employment opportunities that despite being low-paid for Russian workers, could provide for a
decent standard of living for a family in Tajikistan (Laruelle 2007). Favorable migration policies
in Russia at the time facilitated low transaction cost for labor migration (Schenk 2010). In this
context, economic migration was a rational response to economic insecurity at home.

Russia’s demand for labor and Tajikistan’s lack of employment opportunities played out
in a symbiotic relationship between the two. For impoverished Tajikistan, mass outmigration of
labor generated an influx of outside funds that boosted domestic consumption (Government of
Tajikistan 2010). Sending remittances back to their families, Tajik labor emigrants were
responsible for 50 percent of Tajikistan’s GDP in 2008 (World Bank 2018). This allowed for a
slow but existent economic growth, contributing to the reduction of poverty rate from 83 percent
in 2000 to 41.5 percent in 2015 (Government of Tajikistan 2010, 14). In this sense, many see labor
outmigration as a boon for the Tajik domestic economy. However, instead of using this success
to improve domestic economy, the government attempts to provide favorable conditions for more
successful labor migration outcomes by, for example, investing in Russian language training
programs so that labor migrants adapt more easily and attain better-paid jobs in Russia
(Government of Tajikistan 2010, 21; Taylor 1999, 64). In response to the drastic decline in
remittances that pushed Tajikistan's social security achievements back in the aftermath of the economic crisis in Russia, the government voiced the need not to decrease dependency on Russia, but to diversify the labor migrant destinations in order to spread the risks (Government of Tajikistan 2010, 10). Consequently, Tajikistan’s dependence on remittances is seen not as a source of state vulnerability to be moved away from, but as a contributor to its economic development. Labor migration is still forced by the lack of economic opportunities, but, if previously the state complacency in this matter was of ambiguous extent, it becomes increasingly difficult to justify its failure to improve the situation.

Although overall economic development attributed to labor migration does have anecdotal positive implications for women’s empowerment, the net effect remains unclear. As male economic migrants usually leave their wives to head the households, women arguably experience greater autonomy and authority to make the domestic space decisions (Ullah 2017). However, women still remain highly dependent on men’s income overseas. The financial dependency puts them in a sensitive position should their husbands decide to abandon them. This is, unfortunately, a widely spread practice in Tajikistan that in many ways adversely affects the women and children left-behind (Abdulloev, Gang, and Yun 2014).

Tajik migrant men in Russia do tend to start over their lives in Russia and abandon their families in Tajikistan. Despite its supposedly secular past under Soviet rule, Tajikistan in the aftermath of Soviet collapse experienced a tangible shift of social norms toward pre-Soviet cultural revival centered around traditional Sunni Islam (Thibault 2016a). According to Sharia law, “men can divorce their wives by saying ‘Talaq’ three times” which releases men from marital commitment, including the socially perceived obligation to provide for the family (Thibault 2016a, 6). This loophole in the “patriarchal gender contract” resulted in a widespread trend of migrant Tajiks divorcing their wives over the phone or even through SMS (Najibullah 2009). “In 2013
alone, more than 1,700 women sought help from the Committee on Women and Family Affairs and the Council of Ulemas [religious scholars] to resolve such [SMS divorces] litigations” (Thibault 2016a, 6). Although such divorce is formally illegitimate in the eyes of the state, the high level of social acceptance of Islamic practices in Tajikistan makes the wife in this position a de facto divorcee.

Due to the disconnection between social and religious practice and legal provisions on marriage, an abandoned wife is entrapped in a situation where she cannot apply for state protection, gain her equal share of the joint property, and receive alimony to support her children. In order to start a legal process of divorce, the court must inform the husband, yet it is usually the case that wives are not aware of the exact address of husbands’ residence in the destination country (Najibullah 2009). Moreover, since labor migrants often work abroad illegally, according to the state record, they do not produce income that could be claimed to be paid as alimony (Najibullah 2009). This way, women left behind fall victims of the detrimental consequences of forced economic migration that infringe upon their human right to marriage and family prescribed by Article 16 of the UNDHR.

In addition, to cut remittance funds, women have to deal with the question of housing. As traditionally a newlywed woman moves in to live with her parents-in-law, a divorced woman, although not through formal channels, is supposed to move out from her husband’s house. Often divorced wives of economic migrants return to their childhood homes, but sometimes due to the social stigma attached to the status of an abandoned woman leads to the domestic exclusion that drives her to desperate measures in order to avoid ending up homeless (Asian Development Bank 2016). Thibault points to the increased incentive to enter polygynous marriage as a result of economic insecurity (2016b). In view of the limited ability for women to provide for themselves and their children, they become increasingly willing to informally become second and third wives
in exchange for economic and social protection of a man (Thibault 2016b). This practice further deteriorates the status of women in society, contributing to the proliferation of gender inequality. Despite the legal prohibition of polygamy in Tajikistan, the level of acceptance of polygynous marriages is increasing in view of high gender imbalance (Laruelle 2007).

While some women manage to find security in polygynous marriage, others have to pursue the few employment opportunities available. In this endeavor, women have to compete for jobs with the men who did not become labor migrants in the context of highly institutionalized patriarchy that favors male workers over their female counterparts. Consequently, women take long hours to work for remuneration that is far below the subsistence level. This leads to the disparity in outcomes where women-headed households have increasingly lower standards of living than those headed by men (Hegland 2010, 19). Hegland reports a growing number of women resorting to becoming sex workers; desperate economic conditions also leave women vulnerable to “being tricked into human trafficking, usually ending up in the United Arab Emirates” (2010, 18). This suggests the tendency of the increasing scale of violations of women's human right to be free from slavery that arises as a result of the state’s failure to provide them with social security.

With the dramatic fall in the standard of living of the left-behind families, children experience higher rates of school dropouts. Even though school education is free and supposedly mandatory, due to the financial pressure single mothers often fail to meet the indirect costs, such as books and uniforms (UNICEF 2011, 63). Additionally, children in ‘abandoned’ families are increasingly pushed to engage in economic production activities to help their single mothers; this is a particularly widespread phenomenon in agricultural and cotton manufacturing industries (BBC News 2012). Girls on average experience higher rates of school drop-outs and engagement in child labor. As mothers anticipate boys to have greater employment prospects and, consequently,
higher chance of being able to take care of their siblings, they tend to invest more in boys’
education and welfare (Abdulloev, Gang, and Yun 2014). Girls, in contrast, are increasingly more
prone to be married at an earlier age (Government of Tajikistan 2010, 66). The decrease in the
level of female education further reproduces the social order characterized by extensive gender
inequality, where women have increasingly lower prospects to possess the power to provide for
themselves and enjoy the equal protection of their human rights by the state. This vicious cycle is
unlikely to be broken any time soon. The left-behind women and children, in the meantime, suffer
a mass-scale infringement of their human rights on a daily basis.

Discussion

The case study of Tajikistan demonstrates the incredible extent to which the state's failure
to provide economic security and uphold its citizens’ right to desirable work can result in a wide
range of other human rights violations. The question is then: what can be done to mitigate the
detrimental effect of the forced economic migration on the human rights of the left-behind
groups? By no means, I intend to downplay the importance of the preconditions that triggered
the forced economic migration in the first place. Instead, I want to problematize the human rights
of those left behind that have been largely overlooked this far.

While I do not have an action plan outlining the policy prescriptions a state should do to
implement to address the situation, I believe that the review of potential channels for
improvement can be a good start for constructive solution-oriented thinking. First, assuming that
the Tajik government does benefit from the remittances send back by Tajik labor migrants in
Russia, in consistency with the literature, the state has to work on the improvement of the
domestic economy. High dependency on remittances exposes the welfare of the people to a variety
of uncertainties, which is not sustainable in the long-run. Roughly speaking, Tajikistan's
dependency on the Russian economy and policy-making makes it volatile to arbitrary decisions of the foreign government (Laruelle 2007). The most challenging part of this process lies in incentivizing the Tajik government to switch from the easier course of relying on remittances to actually reforming and modernizing the economy to prime it to domestic economic production (Taylor 1999, 64).

Second, on the part of Russia, it should think through the strategy to sell the reliance on imported labor to its domestic public. Although the Russian government faces significant domestic pressure to decrease the presence of foreign labor migrants, the demographic reality is that this goes against its long-term economic interest (Schenk 2010). By improving the level of institutionalization of imported labor, Russia can more successfully administer the inflows of economic migrants. This can facilitate the decline of illegal labor migration of Tajik men to Russia and allow it to keep track of the movement of human capital. Thereby, Russia will become more capable of cooperating with Tajik authorities in holding the migrant men abandoning their families legally accountable.

Lastly, on the side of the international community, a certain level of international pressure complemented with reasonable investments support of international development organizations can push Tajikistan to put more effort to comply with the human rights norms. In view of the lack of global authority to hold states responsible for their failure to uphold its citizens’ human rights, it is difficult to come up with a mechanism to enforce the human rights regime. Nonetheless, the increasing global interdependence creates new avenues of exerting influence over human rights abusing states. The primary focus should be made on the effort to push the informal social practices and formal legal institutions to align, creating a more predictable social environment with greater gender equality.
Admittedly, the case of Tajikistan has a number of state-specific peculiarities that are not present in other countries characterized by high levels of forced economic migration. Those include the high influence of Islamic law on people's day-to-day interactions, the huge disconnection between de jure and de facto institutions, and historical conditions that precluded the industrial development of the state. Yet, I believe that it still has a lot in common with other countries that have male-dominated forced economic migration as one of the important socioeconomic features. A number of studies indicate the trend of adverse effect of forced economic migration on the socioeconomic conditions of the left-behind to hold true for the countries of Middle East and North Africa (Ullah 2017), Southeast Africa (Yabiku and Agadjanian 2017), South and Southeast Asia (Cortes 2007, Semyonov and Gorodzeisky 2005), the Caribbean (Cortes 2007), South America (Hondagneu-Sotelo 1992), and others. This suggests a high prevalence of similar conditions around the world. Thus, I hope that this study will invite greater attention of the human rights scholarship to the human rights issues of those left behind in the process of forced economic migration.
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