

**ARTICLE**

# Transnational regimes of labor and statelessness: Intersections of citizenship regimes and local norms in East and Southeast Asia

Sari K. Ishii 

College of Sociology, Rikkyo University, Tokyo, Japan

**Correspondence**

Sari K. Ishii, College of Sociology, 3-34-1,  
Nishi-Ikebukuro, Toshima-ku, Tokyo  
171-8501, Japan.  
Email: ishiik@rikkyo.ac.jp

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**Abstract**

This article offers a review of the literature on transnational labor regimes and statelessness to pursue further theorization from East and Southeast Asian contexts. The main focus is on how local norms (local sense of belonging, local moral code, and local hierarchies) are entangled with national-level citizenship regimes to legitimate the discrimination of certain people to be statelessness and secure low-wage migrant workers for the *new global labor regime*. First, traditional literature on citizenship and statelessness was reviewed; binary theoretical frameworks (including citizens/excluding non-citizens) based on political recognition were indicated as the main limitations. Second, recent theories arguing for an intersection between national citizenship regimes and a *new global labor regime* were reviewed. Third, recent theories that illuminate the importance of local contexts in determining citizens' rights were reviewed based on formal exclusion and informal inclusion as well as formal inclusion and informal exclusion. Finally, it was concluded that further theorization is needed on how citizenship regimes and local norms intersect to produce statelessness, securing low-wage migrant workers for the global labor regime through the *global assemblages approach*. Through

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the paper, East and Southeast Asia were illuminated as potentially fruitful research sites for further theorization on the topic.

## 1 | INTRODUCTION

This article focuses on the statelessness resulting from an intersection between citizenship regimes and local norms (local sense of belonging, moral codes, and hierarchies with varieties of local criteria), in securing low-wage migrant workers for the transnational migrant labor market. In short, statelessness of low-wage migrant workers arises in the intersection of legal discrimination schema and cultural discrimination schema. The modern nation-state system has regulated membership in terms of one principal category—national citizenship (Benhabib, 2004, p. 1). Scholars have discussed how the membership system of citizenship regimes contributes to legitimating the discrimination against some people from membership (Fassin, 2011, p. 245), makes them stateless (Ball, Butt, & Beazley, 2017, p. 318), and pushes them into “the lower levels of international supply, labour, and care chains” (Piper, Rosewarne, & Withers, 2017, p. 1098), as “low-wage migrant workers” (Parreñas, 2012, p. 270). Some scholars have argued about the neutrality (Belton, 2017, p. 5) and invisibility (Acciaioli, Brunt, & Clifton, 2017, p. 236) attached to citizenship in the discrimination process. When I refer to statelessness in this paper, it is defined as statuses in which people are deprived of political liberty or civil rights, even if they do not lack adequate economic security; since political and civil freedoms are constitutive elements of human freedom, their denial is a handicap in itself (Sen, 1999, p.16–17), regardless of whether the status is formal and officially regulated or informal, and they are privately excluded.

Additionally, this paper indicates that East and Southeast Asian countries offer a rich empirical context for pursuing the theorization of citizenship and statelessness through approaching “global assemblage” (Constable, 2018, pp. 177–179; referring to Ong & Collier, 2005, p. 4). Southeast Asia has a large stateless population (McAuliffe, 2017, p. 223, referring to UNHCR, 2015), and both Southeast Asia and East Asia have complex social structures embedded in sending and receiving countries via the *new global labor regime* (Glick-Schiller, 1999, p. 116). Approaching the global assemblages to theorize citizenship and statelessness in East and Southeast Asia will enable us to examine further local norms and their intersection with citizenship regimes to secure low-wage migrant workers “at both ends of the migration spectrum” (Parreñas, 2015, p. 18), by legitimating the discrimination of a particular people in what Fassin describes as “legal discrimination” (Fassin, 2011, p. 245).

While Europe has been traditionally seen as being at the forefront of theoretical discussions on statelessness issues (van Waas, 2012, p. 248), Southeast Asia is a region that is home to some of the largest stateless populations in the world (McAuliffe, 2017, p. 223, referring to UNHCR, 2015), and Southeast Asian countries send low-wage migrant workers to East Asian countries; the low-wage migrant workers and (risk of) statelessness are entangled, as scholars have indicated (Ball et al., 2017, p. 318). In the European context, scholars have developed theories on struggles over the supranational protection framework of human rights (de Groot & Vonk, 2012, p. 319; Gyulai, 2012, p. 279). Their arguments have typically focused on delegitimized populations during and between the world wars (Blitz & Chickera, 2012, p. 239); the exclusion of minorities on the basis of ethnic and cultural arguments following the dissolution of the USSR and former Yugoslavia (Cahn, 2012; de Chickera, 2012; Manly, 2012); and the rise of asylum seekers, immigrants, and refugees from the Middle East, Asia, and Africa to Europe after the implementation of the Schengen Agreement and Dublin Regulation (Gyulai, 2012; Stokes-Dupass, 2017).

Compared to the theories developed upon the European context as above, in East and Southeast Asia, citizenship and statelessness are increasingly discussed in contexts that are much more embedded and entangled in local contexts—local sense of belonging, local moral codes, and local hierarchies. Recent research on theories of statelessness has increasingly argued that citizenship and statelessness in the region are intricate phenomena with varying legal statuses and local norms that affect ethnic minorities in the region (Kyaw, 2017; Park, Tanagho, & Weicher

Gaudette, 2009), and children born to multigenerational transnational migrant families in the region (Allerton, 2014, p. 30; Ball et al., 2017, p. 321; Green, 2003, p. 63). Such work has developed theories that the number of citizenship rights a person can acquire is not only determined by policy or legal regulations; such rights are also deeply entangled with a *local sense of belonging* (Allerton, 2017, p. 265; Kim, 2010, p. 726; Suzuki, 2015, p. 130). Allerton calls it *moral worth* in the eyes of locals (2017, p. 265), and Suzuki calls it *cultural and economic citizenship* (2015, p. 130). According to that strand of research, citizenship is also entangled with the *local moral code*, the “cultural and religious ideals” of the sending communities (Butt, Ball, & Beazley, 2016, p. 796) and local hierarchies; and these complicated criteria are described in various studies (Acciaoli et al., 2017, p. 237; Allerton, 2018, p. 1087; Choo, 2013, p. 447). Indeed, theories from East and Southeast Asia differ on how “local conceptions of nationhood, citizenship, and belonging strongly influence the treatment within host states and societies” (Willen, 2005, p. 79).

Notable scholars have indicated that an intersection has formed between citizenship regimes and the transnational regimes of flexible, low-wage labor (Mezzadra & Neilson, 2012, p. 61), which Glick-Schiller (Glick-Schiller & Thomas, 2010) calls the *new global labor regime*, to secure low-wage migrant workers (Parreñas, 2001, p. 1134). Concerning this, in studying the immigration restrictions that emerged in the 1920s in the U.S., Ngai noted the need for state authorities to identify and distinguish between citizens, lawfully resident immigrants, and illegal aliens—subjects barred from citizenship and without rights (Ngai, 2004, p. 4). Further, discussing contemporary migration flows, Mezzadra and Neilson (2012) argue that “new, flexible and mobile assemblages of labor markets” are produced by citizenship regimes (p. 62). In the intersection between the citizenship regime and the *new global labor regime*, authorities consider a particular population (typically cheap, flexible migrant labor, and ethnic minorities) as “foreign” (Allerton, 2014, p. 30). By doing so, they (either receiving countries or sending countries) attribute responsibility for securing citizenship rights for them as not from here, but from somewhere else, where they truly belong (Parreñas, 2001, p. 1134). Some people are even seen and treated as “foreigners” everywhere, and as nationals nowhere (Acciaoli et al., 2017, p. 245).

In East Asian countries, with ageing populations and shrinking domestic labor supplies (Eggleston & Tuljapurkar, 2010), low-wage migrant workers are increasingly indispensable to society and industry (Belanger, Lee, & Wang, 2010, p. 1113; Lan, 2006, p. 20; Shipper, 2008, p. 49). Concurrently, in Southeast Asia, some families are embedded in the *new global labor regime* and the “culture of migration” (whereby people's behaviors and values are deeply ingrained in migration; Massey et al., 1993, p. 452). They provide low-wage migrant workers, often to East Asian countries, and increasingly multi-generationally (Allerton, 2018, p. 1082; Ball et al., 2017, p. 321). By doing so, increasing dependency on remittance income encourages rural families to abandon their farms and promotes the purchase of goods (e.g., TV sets, mobile phones): this has the dual effect of crowding out local production (Castles, De Haas, & Miller, 2014, p. 72). Whether they recognize it or not (Allerton, 2014, p. 33), members of these families, sometimes embedded within the structure of multigenerational risk of statelessness, are often amalgamated with ethnic, religious, and gender hierarchies at the local level (Allerton, 2018, p. 1087; Ball et al., 2017, p. 321).

Such legal discrimination is deeply entangled with local moral codes (Butt et al., 2016) in and racial and cultural hierarchies (Lan, 2006) that are embedded in local communities both in sending Southeast Asian countries (Ishii, 2016) and receiving East Asian countries (Ishii, 2012). In short, East and Southeast Asia are relevant sites for in-depth studies of how local norms (such as local sense of belonging, moral codes, and hierarchies) are allied with the citizenship regimes of nation-states and the *new global labor regime*. By developing studies in this way, we may enhance our knowledge of complicated transnational regimes in which “mobility can weaken the leverage of the already weak” (Massey, 1994, p. 150; Piper et al., 2017, p. 1093) and the leverage of persons with a migration background (Castles et al., 2014, p. 245).

Drawing on Constable (2018), this paper tries to theorize these phenomena through an approach to the “global assemblage” (Constable, 2018, pp. 177–179; referring to Ong & Collier, 2005, p. 4). According to Constable, global assemblages are the systems of governance and regimes of ethics or values that structure practice and framing spaces of enquiry, including knowledge systems and policies on citizenship and adoption in sending and receiving states

(Constable, 2018, p.178). Constable explains that a global assemblage approach to “the institutions and expert knowledge that shape the experiences and practices of migrant mothers, migratory families...focusing... on the global patterns, networks and knowledge systems that flow over these spaces and shape migration” (Constable, 2018, p. 177). Following her approach to global assemblages, in the following sections, this paper discusses the intricate links between national-level citizenship regimes and local-level social norms to make certain people stateless and thus cheap, flexible, transnational migrant labor.

## 2 | TRADITIONAL THEORIES: BINARY FRAMEWORKS BASED ON POLITICAL RECOGNITION

A review of well-known studies involving the theme of citizenship and statelessness recognizes that early theories had a critical tendency toward binary analytical frameworks based on political recognition, such as *de jure* and *de facto* statelessness (Arendt, 1958, p. 279), nationalities distinguished from one another by national boundaries (Febvre, 1973, p. 214), national citizens and foreigners (Brubaker, 1992, p. 47), and political recognition through the inside–outside of the polity (Agamben, 1998, p. 19).

### 2.1 | Binary frameworks: Included citizen, excluded foreigners, and stateless people

Early literature on citizenship assumed binary conceptual frameworks that typically included citizens and excluded foreigners (e.g., Brubaker, 1992, pp. 44–49). Brubaker articulated that, while the valorization of a nation and national citizenship creates civil equality by abolishing internal barriers among people of different statuses, it enables the modern figure of a foreigner, who is discriminated from citizens without ambiguity (Brubaker, 1992, pp. 40–47). Moreover, early literature on citizenship and statelessness, along with some contemporary judicial literature, debated the distinction between *de jure* and *de facto* statelessness; *de jure* statelessness was an explicitly recognized status in the 1954 and 1961 United Nations Conventions on Statelessness (Blitz, 2006, p. 454)—“a person who is not considered as a national by any State under the operation of its law” (UNHCR, 1954, p. 6). Arendt describes *de facto* stateless people as those who lose their elementary rights in their state of residence or origin because they are not recognized as belonging to any state (Arendt, 1958, p. 276). These earlier theories built around an imagined zero-sum equation where everyone is entitled to be a member of a state (Sigona, 2016, p. 275).

### 2.2 | Political recognition

While Brubaker argued that belonging to a sovereign place is an element that distinguishes citizens and foreigners (1992, p. 46), Agamben emphasized the state's *power* as the crucial element to determine citizenship (Agamben, 1998, pp. 18–19, 187; my emphasis). According to Agamben, some people who physically live in the sovereign territory are denied their socio-political existence unless they are recognized by states (1998, p. 88). This is what subsequent scholars call the “power of citizenship regimes” that confer life and privilege to some (Butt, 2018, p. 130, referring to Fassin, 2011). In this line of arguments, attribution of nationality at birth is only half of the story; people must prove their entitlement to their nationality, such as the completion of a birth registration form (van Waas, 2007, p. 447). Furthermore, Arendt discusses how politics often ignore a stateless person's existence and attempt to liquidate their statelessness (Arendt, 1958, p. 279). Her theorization opened up the academic discussion on statelessness, but at the same time, it crucially determined the theoretical frameworks based on the binary categorization of citizen-statelessness and recognition by states.

### 3 | LEGAL DISCRIMINATION: INTERSECTIONS BETWEEN THE NATIONAL CITIZENSHIP REGIME AND NEW GLOBAL LABOR REGIME

While traditional theories focused on binary categorical assumptions based on political recognition, in recent years, scholars have attempted to transcend this ideology. Recent literature on the topic represents an initial attempt at theorizing how citizenship regimes are entangled with transnational regimes of flexible, low-wage labor: the *new global labor regime*; prominent theories in this line of inquiry include the “partial citizen” (Parreñas, 2001, p. 1152), substantial cheap illegal labor (Baldwin-Edwards, 2008, p. 1456), and an intersection between national narratives with a neoliberal agenda (Glick-Schiller, 1999, p. 116). In this section, these arguments are reviewed.

#### 3.1 | Existing statelessness from the margin to the center of nation-states

Traditional literature has tended to assume that statelessness is an unusual, abnormal, and exceptional situation found only in marginal or border areas of a state's sovereignty, for example, in refugee camps (Eliassi, 2016; Park et al., 2009; Redclift, 2013a, 2013b). Underlying this argument was an assumption of “territorially anchored identities” (Redclift, 2013a, p. 4), built upon an “authentic sense of place” to secure a nation's power and authority (Cresswell, 2015, p. 97). Traditional arguments have not considered the shifting relationship between territory and identity, which is represented by notions of a “mobile life” over blurred, ubiquitous borders (Graham, 2011, 150, referring to Guillermina, 2003; Urry, 2007, p. 15). Nor have they considered the globally mobile segments of the world's population (Smith & Guarnizo, 2009, p. 611) in “super-diverse” surroundings (Vertovec, 2007, p. 1025), in which lives are often embedded in multilayered, multisited transnational social fields (Levitt & Glick Schiller, 2004, p. 1003).

In contrast, recent studies on statelessness shifted their focus from geopolitical margins to the inside of nation-states (Bhabha, 2009, p. 415; Sigona, 2016, p. 266). This new literature argues that statelessness is a phenomenon found “at the heart of liberal democracies” (Sigona, 2016, p. 266, referring to Sassen, 2007, p. 32). In a study based on Hong Kong, Constable (2014) reported a case where statelessness was hidden within urban, rich, elite families comprising middle- or even upper-class persons (2018, p. 176). These papers indicate that statelessness can exist in the center of any industrialized, liberal democratic state, including the United States (Gonzales & Chavez, 2012), Canada (Meloni, Rousseau, Montgomery, & Measham, 2014, p. 307; Nakache, 2018), and European countries (Eliassi, 2016; Stokes-Dupass, 2017).

Theories in this line moved their concerns from forced displacement because of crises to “displacement in situ” through legal, bureaucratic means (Belton, 2017, p. 15; Bhabha, 2009, p. 415; Lubkemann, 2008, p. 455). In their arguments, some scholars draw attention to the risk of statelessness that exists among children of precarious, cheap, and flexible migrant workers, regardless of whether the children were born in receiving countries (Allerton, 2014, 2017, 2018; Constable, 2014; Suzuki, 2010, 2015), or left behind in sending countries (Ball et al., 2017; Beazley, Butt, & Ball, 2018). Indeed, from the perspective of citizenship and statelessness, the new global cultural economy must be seen as complex, overlapping, and disjunctive, transcending center-periphery models (Appadurai, 1996, p. 32).

#### 3.2 | From an exceptional situation to a contextualized part of the nation-states system

Recent studies have done much to capture statelessness as an inevitable feature of industrialized nations. Traditional literature tended to assume that statelessness is an unusual, exceptional situation experienced by a specific mobile population, such as refugees who are unwillingly dropped in limbo in terms of legitimate systems of nation-states (Boyden & Hart, 2007, p. 238; Veikou, 2017). In contrast, recent researchers such as Harris have suggested that the stateless should no longer be treated as “exceptions” but rather as the inevitable by-products of liberal democratic

societies (Harris, 2013, p. 112). Lebuhn pointed out that the old lines of territorial demarcation are being transformed into new border zones and spaces that overlay the social spaces of everyday life (Lebuhn, 2013, p. 38). In this situation of blurred, ubiquitous borders (Graham, 2011, p. 150), people's rights are measured and acknowledged based on whether they are recognized as belonging to the place or not (Cresswell, 2015, p. 96). Under this schema, once people are recognized as aliens, they are situated outside the polity regardless of how they are embedded within local economies and societies (Ngai, 2004, p. 13). This discrimination of particular people is empowered by the population through the moral authority (Menjívar & Kanstroom, 2014, p. 70).

Baldwin-Edwards states that illegal migration is a structurally embedded phenomenon (2008, p. 1457; Belanger et al., 2010, p. 34), and this theorization adequately fits that of statelessness. He argues that the informal sector in advanced economies has emerged as a mechanism for achieving increased competitiveness in the context of relatively fixed high wage costs (Baldwin-Edwards, 2008, p. 1454). As industrialized societies exclude an increasing number of their population from formal full-time work, the informal sector is an important structural component of advanced capitalism (p. 1455). Under this structure, the inflow of illegal migrants and asylum seekers has provided cheap, illegal labor, and employers often have more reliability and flexibility in using illegal migrant labor (p. 1456).

Notable literature on citizenship and statelessness has demonstrated an intersection between citizenship regimes and the *new global labor regime* discussed above (Glick-Schiller, 1999, p. 116; Mezzadra & Neilson, 2012, p. 62). Glick-Schiller argues that a *new global labor regime* has emerged, where circulatory migration and transnational social connections deny the rights of and access to citizenship for many migrants (Glick-Schiller & Thomas, 2010, p. 13). This regime is built on methodological nationalism and justified in defence of the "welfare state," which dismisses the humanity of the migrant sector of the workforce (Glick-Schiller & Thomas, 2010, pp. 13, 26).

Scholars such as Bartelson indicate that the systematic exclusion once designated by bounded sovereignty (as noted above with Baldwin-Edward's arguments) has lately extended to the global context (2014, p. 6). While sovereign states remain the main building blocks of the international system, the state has become more akin to a franchise than a self-contained entity within a global system (Bartelson, 2014, p. 5). Further, although the international system remains in place, it has become more epiphenomenal in relation to the strategies that systematically exclude illegitimate people (Bartelson, 2014, p. 5). Subsequently, access to national citizenship has become a key element of supranational discourses on universal human rights (Smith & Guarnizo, 2009, p. 611).

In this line of argument, passive, nondisabled, cheap, and flexible workers for privileged citizens are desired in receiving nations (Constable, 2014, p. 13), but the personhoods of such migrant workers and their children are left outside the polity (Constable, 2014, p. 2; Ngai, 2004, p. 13). Mezzadra and Neilson (2012) designate this point as "the 'neoliberal' flexibilization of labour markets and the disarticulation of citizenship" (p. 61). By restricting citizenship for "new, flexible and mobile assemblages of labour" (Mezzadra & Neilson, 2012, p. 62), the receiving nation can secure "expanding sources of labour supply and multilayered divisions of labour in the contemporary world" (Lan, 2006, p. xi). In short, by leaving migrants with ambiguous, precarious statuses, receiving nations can secure a supply of low-wage workers who can easily be repatriated in an economic slowdown (Parreñas, 2001, p. 1134).

While a number of analyses on citizenship and migrants emphasize how the Global North, or receiving countries, discriminate and exploit migrant workers (Ellermann, 2019, p. 2), few have focused on how the Global South, or sending countries, also legitimate the neglect of sending nations by enjoying full citizenship (such as through protection as labor, endowing their nationality to their children) (Ball et al., 2017, p. 307; Bakker & Silvey, 2008, p. 120) through the "politics of belonging" (Ellermann, 2019, p. 2). As Silvey argues, from the perspective of the reproductive labor of transnational domestic workers from Indonesia, both sending and receiving states benefit from transnational migrant workers (Silvey, 2008, p. 120). Remittances often contribute to covering the basic living expenses of family members back home and subsidize sending states' economic development (Silvey, 2008, p. 120).

However, as Parreñas argues, in the case of Filipina migrant workers, some cheap migrant workers are neither fully integrated in receiving nations nor completely protected by the sending countries (Parreñas, 2015, p.18), as the sovereignty of the sending country diminishes with its inability to protect its overseas nationals (Parreñas, 2001, p. 1137). In addition, as Ball and her colleagues note, children born to multigenerational transnational migrant

families are often caught in a cycle of high-risk mobility and employment overseas that limits the choices of those in the younger generation—the situation Ball calls a “multigenerational legacy of statelessness” (Ball et al., 2017, p. 321). In short, citizenship regimes and labor regimes create stateless populations, low-wage migrant workers “who are finally decontextualized as a placeless multitude” (Ong, 2007, pp. 3–4), without social care as full citizens, “at both ends of the migration spectrum” (Parreñas, 2015, p. 18).

Scholars claim that while some of the flexible, low-wage migrant workers are relied upon by local markets and industries (Allerton, 2014, p. 29; Willen, 2005, p. 60), once they attempt to be fully incorporated in and supported by the law, they find themselves excluded in the face of the complicated and intricate legitimation system of the state (Levin, 2018, p. 31). Levin refers to this structure as “the language of legality” (Kelly, 2006, p. 7; Levin, 2018, p. 31). This concept is also true for sending communities. Glick-Schiller calls this schema the *depersonalisation of labor* (2010, p. 47). These populations potentially include ethnic minorities (Acciaioli et al., 2017, p. 245), precarious migrant workers (Ngai, 2004, p. 13; Piper et al., 2017, p. 1091), migrant domestic workers and carers (Parreñas, 2001; Parreñas, 2012, p. 273), and “illegal migrants” and their children (Allerton, 2014; Meloni et al., 2014; Willen, 2007).

## 4 | CULTURAL DISCRIMINATION: INTERSECTION BETWEEN CITIZENSHIP REGIMES AND LOCAL NORMS

While discussions on the intersections between citizenship regimes and the *new global labor regime* are rather well developed, few studies have theorized an intersection between citizenship regimes and local norms in the context of securing low-wage migrant workers transnationally. However, existing research has discussed the importance of local morals and the local sense of belonging regarding citizenship and statelessness (Butt et al., 2016; Glenn, 2011). Local norms are regarded as elements that decide the “real” rights people can enjoy in local contexts, described as “substantive citizenship” (local practices that recognize or deny certain groups and individuals in practice; Glenn, 2011, pp. 2–3) or “social citizenship” (a system to distinguish “them” from “us” in local practices based on ethnicity, class, and gender; Wang & Belanger, 2008, p. 103).

### 4.1 | Ambiguous, negotiable statuses in local contexts

As discussed above, recent studies have challenged traditional binary approaches to citizenship (Harris, 2013, p. 113), and in doing so, have illuminated the importance of transcending the binary inclusion–exclusion dichotomy (Fein & Starughn, 2014, p. 691; Harris, 2013, p. 112; Mezzadra & Neilson, 2012, p. 62). As scholars such as Choo note, the borders of citizenship have never been static; citizenship is not fixed in law and policy, but is rather permeable and negotiable in particular local contexts among specific actors (Choo, 2016, p. 7). Increasingly, researchers have acknowledged that citizenship and statelessness are diverse, ambiguous, and fluid entities (Redclift, 2013a, p. 174; Weissbrodt & Divine, 2016, p. 870). Redclift describes this as “a fluidity within the marginal spaces that Agamben fails to capture” (Redclift, 2013a, p. 174). Subsequently, the concept of graduated citizenship in which segments of the population are disciplined differently and given differential privileges and protection has been explored (McCargo, 2011, p. 846; Ong, 2006, p. 88). The meaning of citizenship is increasingly separated from equal rights and recognition among citizenship holders (Choo, 2016, p. 5). Rights are defined in different ways, even within holders of the same citizenship, by competing doctrines of citizenship, ethical norms, and administrative rationality (Cohen, 2009, p. 8).

Several scholars have also developed conceptual frameworks that acknowledge that how much citizenship people enjoy is a matter of degree reflecting a variety of factors in local contexts (McCargo, 2011, p. 846). One such framework is “differential citizenship,” or citizenship practiced in different social domains but with decentralized power exercised in individualized fields, which prevents some people from accessing their full entitlement of rights



(Wang & Belanger, 2008, p. 103). Two others are “second-class citizenship status” for marital migrants, or foreign spouses who could never fully integrate into the host society even though they formally acquired nationality (Friedman, 2010, p. 87), and “citizenship as a continuum” in which citizenship is not an either/or, but a matter of degree (McCargo, 2011, p. 846), as in the cases of ethnic and religious minorities. Indeed, both citizenship and statelessness are ambiguous, fluid entities (Cohen, 2009; Glenn, 2011; Redclift, 2013a; Willen, 2005).

Central to these arguments is the view that citizenship and statelessness are not stable, formal, legal statuses. As Chakraborty argues about Rohingya, most stateless populations, although comprising non-citizens, are typically “subjected non-subjects,” without rights but not without the state's disciplinary interventions and discrimination (Chakraborty, 2018, p. 109). Indeed, statuses of non-citizens are stratified into hierarchies by the states, as Chung clearly notes in a similar point, discussing cases of non-citizens in South Korea (Chung, 2019). Further, citizenship and “statelessness” are not stable identities under a specific law or a fact but make up a shifting assortment of exceptions, rejections, inclusions, and denials experienced in everyday interactions and choices in local contexts, as can be seen in cases of migrant children in Sabah, Malaysia (Allerton, 2014), border areas of Thailand (McCargo, 2011), stay-behind children in Indonesia (Ball et al., 2017), and refugees and asylum seekers in Nauru and Manus Island (McConnachie, 2017; Opeskin & Gbezelbash, 2016).

## 4.2 | Intersections between citizenship regimes and local norms

Interestingly, among the studies discussing local negotiations on acquiring rights in liminal legal spaces, some argue for formal exclusion and informal inclusion, such as migrant workers and their children who have multiple ties and attachments to local economy and society but are legally nonexistent (Allerton, 2014, p. 29; Allerton, 2018, p. 1092; Levin, 2018, p. 31); while others argue for formal inclusion and informal exclusion, such as the second-generation migrants who formally have full nationality and citizenship status but are blocked from achieving cultural and economic citizenship because they lack recognition by other members of the community (Glenn, 2011, pp. 2–3; Suzuki, 2010, 2015).

Focusing on the local context, scholars have reported that legally recognized people may be excluded in daily life by a local sense of belonging. Suzuki (2015) affirms that children born to unwed Filipina mothers and Japanese fathers, despite acquiring formal Japanese nationality, are often excluded by family communities and social groups claiming that they do not share a cultural and social background in Japan (Suzuki, 2015, p. 130). Yet, in reality, class, gender, ethnicity, and other differences create a gap between nationality and citizenship such that people within the nation-state do not necessarily enjoy the same access to social services or have the same ability to claim their rights (Suzuki, 2015, p. 119, referring to Caldwell, Coll, Fisher, Ramirez, & Su, 2009). Meanwhile, the Philippine government adopted the position that they are no longer Philippine citizens, and therefore, the government is not accountable for their well-being (Suzuki, 2015, p. 130). By pointing out *de facto* segregation of formally included citizens on the basis of schemas of race, gender, and citizenship in the local context as above, Glenn (2011) argues that formal legal status is not sufficient for people to enjoy substantive citizenship and that people's rights are products of everyday practices and struggles in local contexts (pp. 1–5).

In contrast, researchers such as Allerton (2014, 2017, 2018) shed light on the entangled statuses of people who are formally excluded but informally included (Allerton, 2018, p. 1092, referring to Mezzadra & Neilson, 2012, p. 62). Using examples from Sabah in East Malaysia where some migrant worker's children are born in their parent's working city, Allerton demonstrates how illegality is configured and experienced by illustrating the complex, multiply entangled belonging, and exclusion of the migrants' children as “excluded ‘inclusion’” (Allerton, 2018, p. 1092). Despite being excluded from a local nationality, they are simultaneously included both socially and linguistically as residents and workers (Allerton, 2014, p. 28; Allerton, 2018, p. 1092). She calls this situation “statelessness on the ground” (Allerton, 2014, p. 2). Furthermore, Butt et al. (2016) go beyond the above typology, describing what they call “citizenship from below” (Butt et al., 2016; p. 806); they introduce a local-level analysis, showing that family-level



local norms can sometimes work to legitimize and humanize certain groups such as socially stigmatized children born to migrant mothers without formal fathers in national-level citizenship regimes (Butt et al., 2016; pp. 805–806).

Expanding on this point, Lan (2003) argues that the local borders between full membership and others (outsiders with varieties of statuses) are reproduced in daily life, even within the family as “the local practice of boundary work” (p. 547). This alludes to structural inequalities that perpetuate private domains as a reflection of the local norms in which the host family is embedded, such as racial stratification between migrant domestic workers and host family members, and those between married migrant wives and mothers-in-law (Lan, 2003, p. 547). Scholars further remark that migrants are sometimes marginalized within their everyday interactions in families, mediated by the constructions that reflect class distinctions, language, and ethnic stratification, and spatial segregation in local contexts (Pongponrat & Ishii, 2018, p. 140; Yeoh, Leng, & Dung, 2013, p. 149).

In this way, national-level citizenship regimes and community, family-level local norms work together to legitimate the discrimination of certain groups of people, through seemingly neutral membership policies (Belton, 2017, p. 5). As the literature demonstrates, citizenship status is not solely a measure of regulating statuses and rights (Friedman, 2012, p. 255); rather, “citizenship is about more than citizenship law” (Redclift, 2013b, p. 317); as Ellermann noted, there is a “multifacetedness of membership” (Ellermann, 2019, p. 4).

## 5 | CONCLUSION

As demonstrated in this review, recent studies successfully theorize the intersection between national citizenship regimes and the *new global labor regime* in making some people stateless—securing cheap, flexible transnational migrant labor. Put another way, legal discrimination and cultural discrimination work together to make certain people stateless, especially in the case of low-wage migrant workers. However, there is much room for future discussion in theorizing the intersection between local norms (local sense of belonging, moral codes, and hierarchies with varieties of local criteria) and the *new global labor regime*. As shown in this paper, citizenship regimes and local norms are intricately intertwined with each other and contribute to the production of statelessness, which secures cheap, flexible, transnational migrant labor. East and Southeast Asia are good sites to pursue the theorization of this point, because of both the region's large stateless population and the complex social structures deeply embedded in sending and receiving countries via the *new global labor regime*.

Future research is necessary to explore citizenship and statelessness by examining how social structures embedded in local contexts, with a global assemblage approach, function to promote intersections between citizenship regimes and transnational regimes of cheap labor. As Willen (2005) argues questioning regional patterns or dynamics in globalization and transnationalization would help broaden and deepen our understanding of how the contemporary process of globalization can challenge local and regional realities (p. 80).

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## ORCID

Sari K. Ishii  <https://orcid.org/0000-0002-6390-3552>

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## AUTHOR BIOGRAPHY

**Sari K. Ishii** is a sociologist whose interests include migration, tourism, citizenship, and statelessness, with the aim to examine inequality surrounding minority and transnationalism. Her geographical areas of specialization are Thailand and Japan. She is the author of *Marriage Migration in Asia: Emerging Minorities at the Frontiers of Nation-States* (National University of Singapore Press, 2016) and "The Impact of Ethnic Tourism on Hill Tribes in Thailand" *Annals of Tourism Research*, 39(1):290–310.

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