

Flaim & Williams
Proposal to PAA

Negotiating the Borderscape: Statelessness, Migration, and Livelihoods in Northern Thailand

This research will examine the impact of statelessness on migration patterns and livelihood outcomes among rural ethnicity communities in northern Thailand. Data are derived from an innovative and unique survey of over 300 highland minority villages located along the Burma border, an area characterized by extensive internal and international boundary making, both geographically and in terms of unequal provision of Thai citizenship. Employing multinomial logistic regression analysis to determine differential propensities to move given citizenship status as well as ethnicity, sex, marital status and other salient factors, the research will engage micro-level theories of migration as a household livelihood strategy with structural considerations of how state-mandated political categories of citizenship shape individual and family migration behavior. Findings will shed light on differential limitations of migration as a rural livelihood strategy as well as the growing importance—yet largely overlooked—consideration of legal status in studies of modern inequality.

In analyzing the effect of statelessness on migration propensity and livelihood outcomes in the highland context of northern Thailand, the following sub-questions will be addressed: 1) Does statelessness have a direct and/or indirect effect on the propensity of highlanders to migrate? Specifically, (how) does legal status—from statelessness to citizenship—relate to and shape migration outcomes in the highland context in Thailand? 2) Does any difference exist between stateless individuals and citizens in duration of migration (permanent or temporary) or in distance of migration (across district boundaries or not)? Additionally, what, if any, difference exists between males and females in analyzing the effect of statelessness on type of migration and propensity to migrate? 3) Finally, what do findings from these questions indicate about the abilities of stateless families to utilize migration as a viable livelihood strategy?

DATA & METHODS:

While logistic and ethical problems may generally preclude comprehensive research on stateless populations, this research will employ the 2010 UNESCO Highland Peoples' Survey (HPS)—a survey of over 70,000 people in over 300 villages along the Thailand-Burma border. Conducted in local languages by offices of the Thai government, this survey of highlanders in Chiang Mai, Chiang Rai, Mae Hong Son, Tak and Kanchanaburi Provinces captures village and household information on citizenship, migration, education, livelihoods as well as a range of demographic information. Because state censuses often leave out stateless or unregistered populations, the HPS represents the first large-scale attempt to understand the effects of statelessness on life chances in a comprehensive way. (Note: The data became available in July of 2011. Analysis will be completed by the end of February, 2012).

To conduct this analysis, we will employ multinomial logistic regression to discern differential outcomes in migration given the legal status of individuals and household heads. We will also examine the relative impact of legal status on migration outcomes in comparison to other salient factors such as sex, marital status, and ethnicity. Additionally we will create a livelihoods index from the household level data, and determine the extent to which migration patterns are related to the diversity and relative stability of household livelihoods. (Note: this index will include extent and amount of debt, stable employment status of members, liquidity, possession of land title etc.).

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JUSTIFICATION & POTENTIAL CONTRIBUTIONS

Findings from this research on statelessness and migration among highlanders of northern Thailand will likely make several contributions: First and foremost, very little, if any, comprehensive research has been conducted on the issue of statelessness and migration with statelessness as an *initial condition* rather than as a condition resulting from migration. Nevertheless, individuals and families who migrate illegally across international boundaries inevitably face similar vulnerabilities to exploitation as those who are stateless from birth. While contexts vary from country to country, very little is known about how statelessness shapes initial and/or further calculations of risks to and benefits from migration.

In addition to making a substantive contribution to understanding migration patterns among a highly vulnerable and largely unknown population, the study of statelessness and its effects on individual and household migration propensity provide a clear and unique opportunity to understand the interaction of structural forces (citizenship status) on micro-level factors of individual/household behavior. While undoubtedly a difficult task, studies such as this may begin to answer the call for the integration of structural and micro-level considerations in theoretical models of migration (see Massey 1990:5).

Additionally, the study of stateless people and their migration patterns can help to further elucidate current typologies of migrants that are used in research and employed by international and national governments to target particular populations for various development programs as well as legal sanctions and protections. While some stateless populations are subject to political oppression, other groups such as highlanders, and growing numbers of international undocumented workers in places such as Malaysia seem to migrate for financial stability (Mydans 2007). Theoretically therefore, statelessness blurs the line between refugees/asylum seekers and migrants who are understood to be primarily financially motivated. Deeper understandings of the ways in which stateless populations utilize migration—whether for financial gain or as a last resort survival strategy—can elucidate or reveal points of contradiction in current migration typologies (Simmons 1987; Zlotnik 1987). This in turn can enable international human rights agencies to promote and enact informed legislation for the protection and inclusion of this vulnerable population.

Finally, the particular study of migration among highlanders in northern Thailand may bring to bear considerations of social and political boundary-making and boundary maintenance (see Lamont and Molnar 2002), which are relevant to research on both internal and international migration.¹ Differences in mobility between highlanders with Thai citizenship and stateless highlanders across the district boundary may shed light on the theoretical and methodological difficulties in choosing an appropriate line of demarcation sufficient to be considered migration for all groups within a similar population.

The unique context of statelessness likely indicates that the extent to which findings from similar studies linking migration and livelihoods can be generalized. On one level, statelessness is shown to limit access to resources and legal protections that are employed by families in their efforts to maintain a stable livelihood. Stateless individuals cannot own land, cannot cultivate land freely, cannot access the 30-baht health care system, and do not have guaranteed access to

¹ Highland ethnic minorities without citizenship in Thailand are prohibited from leaving their respective districts (sub-category of provinces) for any reason without written permission from state officials (Laungaramsri 2003; PHR 2004; Toyota 2005). Violations of this law are punishable by incarceration, heavy fines, and/or possible deportation—punishments similar to those experienced by international undocumented migrants.

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secondary or tertiary education. In fact, research shows that stateless individuals are significantly less likely than Thai citizens residing in the highlands to enter lower primary school and progress through each subsequent level of schooling (Flaim 2008). In some cases, the relative disadvantage is nearly 90 percent. Such relative deprivation would theoretically suggest a high likelihood of out-migration for stateless individuals and families in the Thai highlands.

However, highlanders without citizenship in Thailand are not legally permitted to leave their respective designated districts;² but, as Massey (1990) argues, “the strategy of risk diversification [is based on the assumption] that households *are free* to send members outside the community on a temporary basis, where they may remit part of their earnings back to the family” (emphasis ours). Facing potential bribes, arrest, imprisonment, and even deportation by border patrols, the financial and physical cost of travel for stateless individuals and families is conceivably much higher than that of Thai citizens (PHR 2004). Additionally, because stateless individuals are not legally entitled to work outside of their designated districts, stateless people are subject to exploitation by employers (if they find work). Subsequently, in the context of statelessness, migration may not be a suitable strategy for a family to establish or diversify a livelihood.

Additionally, the risks and experiences of migration differ markedly between males and females; and consequently, findings in studies of the Thai lowland population indicating an expansion of the household preference for female migration due to remittance practices may not be generalizable to the highlands. Despite facing similarly limited opportunities for education and employment in highland rural villages, women and girls in these areas are believed to face particular risks when migrating, especially if stateless. Research by UNESCO (2005) revealed that statelessness poses the single greatest risk factor for highland women and girls to be trafficked or otherwise exploited by smugglers, employers and border patrol officers. While research by PHR (2004) indicates that highland girls and women are continuing to migrate in spite of these risks, the extent to which stateless highland families are able to rely on the migration of their daughters as a stable livelihood strategy in light of these risks remains largely unexplored.

While we have not identified studies that directly address citizenship status and migration propensity, studies of the Chinese hukou (household registration system), which is known to be highly restrictive in terms of population mobility, do demonstrate the ways in which structural context can significantly alter or interact with individual- and household-level considerations regarding migration. While these studies do not address the possible interaction between hukou status and gender to explore whether highly restricted mobility places females at risk of exploitation, these studies do address the interaction between hukou status and educational attainment, which, as mentioned above, is often a highly significant indicator for mobility (Wu and Treiman 2004; Yang 1993). As in the case of citizenship status and educational attainment in the context of the Thai highlands (Flaim 2008), educational attainment in China is significantly influenced by privileged hukou status. Specifically, those with urban status were found to be significantly more likely than those with rural status to achieve higher levels of education, which subsequently enables individuals to migrate legally (Wu and Treiman 2004). Because legal status is shown to shape individual-level factors that are themselves significant in shaping migration outcomes, considerations of both indirect and direct impacts of legal status on migration propensities should be examined.

² Stateless highlanders with one of the official identity cards are registered with the government and are subsequently more strictly monitored. However, individuals with no official registration card also face punishment if caught traveling without proper identification.

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Final Considerations

According to new household labor theory, poor and rural families can employ migration as a means to maximize and diversify incomes in order protect themselves against the failure of an important source of revenue and/or subsistence. Through this framework, the deployment of various members of the household to work in different regions and in different economic sectors is itself a resource from which subsistence farmers can draw in order to devise a diversified livelihood. Migration propensity at the individual level is therefore perceived as the interaction of various individual characteristics with cultural norms and social/structural conditions. While this theory has proven particularly robust in a number of contexts, the growing prevalence of statelessness potentially problematizes the extent to which this theory can be generalized, and informs growing debates as to whether migration is becoming an increasingly scarce resource in itself (Soysal 1994; Torpey 2000). Given the growing numbers of stateless people worldwide, examining the extent to which migration can provide a viable livelihood strategy to families—particularly those living at or near subsistence level—is worth considerable attention.