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The Transnational Social Contract in the Global South

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How does labor emigration affect state–society relations across postcolonial states? We argue that the opportunity to pursue employment abroad alters a fundamental component of postcolonial states—the post-independence social contract. Such states' inability to sustain post-independence levels of welfare provision first leads to the development of "emigration management institutions," which seek to encourage and regulate citizens' labor emigration, and second, to the widening of the "remittance-welfare gap," where labor emigration and remittances outpace state-sponsored welfare provision. These mark the emergence of a "transnational social contract," as states leverage access to employment abroad in exchange for social and political acquiescence. This de-territorialization of the postcolonial social contract leads to de jure and de facto forms of state coercion toward its citizens/migrants, who are commodified by the market-based logic of transnational neo-patrimonialism. We test this argument through a paired comparison and within-case analysis across two postcolonial states in South Asia and the Middle East: Nepal and Jordan. We offer an interregional, South–South migration analysis and a novel framework of understanding the politics of mobility across non-Western states as "migration from below," which acts as a corrective to the dominance of South–North migration research in international studies.

¿Cómo afecta la emigración laboral a las relaciones entre el Estado y la sociedad en los Estados poscoloniales? Argumentamos que la oportunidad de buscar empleo en el extranjero altera uno de los componentes fundamentales de los Estados poscoloniales: el contrato social posterior a la independencia. La incapacidad por parte de estos Estados de poder mantener el nivel de provisión de bienestar posterior a la independencia conduce, en primer lugar, al desarrollo de ≪instituciones de gestión de la emigración≫, que buscan alentar y regular la emigración laboral por parte de los ciudadanos, y, en segundo lugar, a la ampliación de la ≪brecha entre bienestar y las remesas≫, donde tanto la emigración laboral como las remesas recibidas superan la provisión de bienestar proporcionada por el Estado. Todo esto provoca el nacimiento de un "contrato social transnacional," debido a que los Estados aprovechan este acceso al empleo en el extranjero a cambio de una aquiescencia tanto social como política. Esta desterritorialización del contrato social poscolonial crea nuevas formas, tanto ≪de iure≫ como ≪de facto≫, de coerción estatal hacia sus ciudadanos/migrantes, que son mercantilizadas por la lógica basada en el mercado del neopatrimonialismo transnacional. Demostramos este argumento mediante una comparación pareada y un análisis dentro del caso en dos Estados poscoloniales en el sur de Asia y en Medio Oriente: Nepal y Jordania. Ofrecemos un análisis interregional de la migración Sur-Sur y un marco novedoso para la comprensión de la política en materia de movilidad entre los estados no occidentales como una ≪migración desde abajo≫, que actúa como una medida correctiva al predominio de la investigación sobre la migración Sur-Norte dentro de los estudios internacionales.

Comment l'émigration des travailleurs affecte-t-elle les relations entre État et société chez les États postcoloniaux ? Nous affirmons que la possibilité de chercher du travail à l'étranger modifie une composante fondamentale des États postcoloniaux : le contrat social d'après indépendance. L'incapacité de ces États à maintenir le niveau de prestations sociales après l'indépendance conduit d'abord au développement d'≪ institutions de gestion de l'émigration ≫, dont le but est d'encourager et de réguler l'émigration des citoyens en quête de travail. Ensuite, cette situation découle aussi sur l'élargissement de ≪ l'écart paiement-allocations ≫ : l'émigration du travail et les paiements dépassent les prestations sociales de l'État. Un ≪ contrat social transnational ≫ apparaît alors : les États promettent un travail à l'étranger en l'échange d'un assentiment social et politique. Cette déterritorialisation du contrat social postcolonial aboutit sur des formes de coercition de jure et de facto à l'encontre des citoyens/migrants, considérés comme des objets selon une logique de marché de néopatrimonialisme transnational. Nous testons cette hypothèse par le biais d'une comparaison jumelée et d'une analyse interne au cas dans deux États postcoloniaux d'Asie du Sud et du Moyen-Orient : le Népal et la Jordanie. Nous proposons une analyse de la migration Sud-Sud interrégionale et un cadre inédit de compréhension des politiques de mobilité dans les États

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non occidentaux comme ≪ migration par le bas ≫, qui sert de correctif à la domination de la recherche sur la migration Sud-Nord dans les études internationales.

Introduction

Jordan depends on expat remittances. [The country] does not have natural resources, so we invested heavily in our human capital. It's good when these investments are exported and the remittances are achieved.

Jordanian Minister of Finance (Alterman 2021)

In a way, everyone has a right to mobility and if it is stopped, it seems like a human rights violation.

Senior official for the Ministry of Women, Children and Social Welfare, Nepal (Shivakoti 2020, 29)

As far back as 2003, one Asian newspaper famously declared that migrant remittances constitute "mother's milk for poor nations" (quoted in Kapur and McHale 2003), affirming the importance of labor migration for countries across the Global South. Yet, many decades later, scholarly work regarding the impact of labor mobility on the international politics of postcolonial states remains fragmented.[1] Research has tended to pivot around two main themes: (1) the effects of migrant and diaspora communities on host states' socioeconomic and political development, and (2) the harnessing of transnational social and political ties through states' diasporic institutions. While recent work on migration diplomacy seeks to reposition the non-West as part of the study of the politics of cross-border mobility, a degree of Eurocentrism continues to characterize relevant work in international relations. The fact that most migratory flows occur outside the West, rather than into Europe and North America as per conventional wisdom, has yet to lead to the development of a comprehensive framework on the impact of South–South migration on postcolonial states.

We aim to expand our understanding of the interplay between cross-border mobility and politics by examining how labor migration affects state–society relations in postcolonial contexts. We begin by identifying how the post-independence social contract granted a set of rights and socioeconomic entitlements to citizens across postcolonial states in return for their political acquiescence. However, the inability of postcolonial states to sustain high post-independence levels of welfare provision has had two consequences: first, the development of *emigration management institutions*, which seek to encourage and regulate citizens' labor emigration; and second, the widening of the *remittance-welfare gap*, as labor migration remittance rates outpace state-sponsored welfare provision. Together, these developments averted a crisis of neo-patrimonialism by enabling the transformation of the postcolonial social contract into a *transnational social contract*, as states leveraged access to labor mobility and foreign-based welfare by way of de facto and de jure forms of *transnational coercion*. State-facilitated emigration flows sustain institutions that offer nominal protection on paper against widening social and economic inequality, while the opportunity to emigrate serves as a proxy for both truncated state welfare provision and the consolidation of state power over the postcolonial citizen/migrant.

We initially review the relevant literature and present our theoretical model of the transnational social contract and its effects on state–citizen relations across postcolonial countries of origin. We demonstrate this through a paired comparison of Global South countries with a common set of countries of destination that are also located outside the West. We introduce two least-likely labor emigration cases in South Asia (Nepal) and the Middle East (Jordan) to the Gulf Cooperation Council (GCC) states, selected for the purposes of theory building through covariation and within-case analysis. We then analyze how cross-border mobility has reshaped state–society relations at home, by making access to emigration central to citizens' socioeconomic trajectory. Finally, we discuss how our argumentation shifts existing debates away from counterproductive economistic approaches to labor migration, to instead theorize about political practice in ways that are unconstrained by methodological nationalism. We focus on the previously unexplained diversification of state-like practices in South–South migration management, from re-territorialization to the formal involvement of unaccountable labor recruiters and security officials in these processes. Ultimately, we demonstrate how labor migration offers no guarantee that abandoning a given state's territorial confines results in escape from forms of that state's control and subjectification.

Investigating Postcolonial Migration and State–Society Relations

With a few exceptions (Zolberg 1981; Weiner 1995), international relations only recently focused on the effects of labor migration on the state as a separate field of inquiry, arguably via two major literature strands. First, social scientists, drawing on international political economy approaches, tend to highlight how labor migration and remittances provide important capital inflows for countries of origin (Mosley and Singer 2015). Indicatively, De Haas has argued that "while often maintaining the social and economic reproduction of communities, remittances also tend to transform social structures and care arrangements" (2007, 58). Beyond remittances, the opportunity to pursue employment abroad has also historically served as a corrective to states' overpopulation and unemployment issues, so much so that scholars often "see migration as a form of social protection" (Levitt et al. 2023, 5). A recent analysis concludes that "the value of remittances as an alternative or supplementary social protection resource at the individual, household and community levels cannot be underestimated" (Ramachandran and Crush 2021, 34), with scholars heralding the emergence of "emigration states" in world politics (Gamlen 2019). However, although such analysis affirms the political economic importance of labor migration for countries of origin, this line of work provides few insights into how this growing reliance on emigration affects state–society relations, in particular across the postcolonial world.

For this, we turn to scholars of transnational politics, who have examined how mobility may shape the relationship be-

[1]Analytically, we distinguish between non-Western, Global South, and postcolonial states: We consider the non-West to be the broadest term, encompassing states that may be neither postcolonial nor located within the Global South (i.e., Russia and Eastern Europe). The Global South includes countries that were never formally colonized (i.e., Turkey, Saudi Arabia, and Thailand). Finally, postcolonial states are limited to those that achieved independence following a process of decolonization in relation to a colonial or imperial power.

tween citizens and the state. Following an initial interest in diasporic mobilization in Western contexts (cf. Koinova and Tsourapas 2018), research over the last 20 years has highlighted the versatility of the migration state across the Global South (Hollifield and Foley 2022; Lacroix 2022). We now have a firm understanding of the institutional mechanisms that seek to tie countries of origin to migrant and diasporic communities in the West (Baser and Ozturk 2020) and the linkages between migration, remittances, and democratization (Escribà-Folch, Meseguer, and Wright 2022). However, despite growing attempts to decentralize migration and diaspora studies (Natter 2023), the literature tends to disregard the fact that most potential Global South migrants are not allowed to migrate to the West, something that Faist (2019) calls a "migration paradox." As a result, this line of work glosses over the distinction between those migrants who are able to access foreign citizenship in the Global North, and those who remain politically and socially invisible, as perennial temporary workers elsewhere (Pugh 2021). For the latter, these migrants' "permanent temporary" status (Lori 2019) leads them to develop a drastically different set of relations with their country of origin—one that we have yet to fully uncover.

Isolated work across different sets of literature sheds important light on state–society relations across postcolonial contexts by bringing the realities of South–South migration into the foreground. Work on transnational authoritarianism has highlighted the development of a range of repressive actions by "global autocracies" toward their communities abroad (Tsourapas 2021b). Scholars also highlight the emergence of gendered protectionism across the Global South, as countries of origin seek to protect their citizens abroad from abuse through exit measures that curtail their rights, particularly those of female migrants (Kodoth and Varghese 2012). In fact, moving toward an intersectional study of migration allows scholars to employ gender as a lens to identify exclusion in migration processes (Pessar and Mahler 2003; Lutz 2010; Herrera 2013). At the same time, recent work on migration diplomacy and interdependence highlights how South–South labor migration becomes instrumentalized (Campos-Delgado 2023), often by the countries of origin themselves (Malit and Tsourapas 2021). Yet, for all its complexities and despite its centrality in international migration, the politics of South–South migration—a *migration from below*—has yet to become part of the international studies agenda.

Theorizing the Transnational Social Contract

We propose a novel understanding of state–society relations in the context of South–South migration based on the historical evolution of the *postcolonial social contract* and its transformation into a *transnational social contract.* The social contract, as a term, originated with the English philosopher Thomas Hobbes, and has subsequently been developed within classical political theory by philosophers Samuel von Pufendorf, John Locke, and Jean-Jacques Rousseau, among others. Our interest here lies in how citizens' demands for the provision of resources are leveraged by state elites to achieve governmental legitimacy (Ho 2019)—or, as Locke famously put it, "the consent of the governed." In this sense, the term is linked to neo-patrimonialism, namely, the provision of state resources by elites in exchange for social and political loyalty. We follow the definition of the social contract set out by Loewe, Zintl, and Houdret as "agreements between societal groups and their government on their rights and obligations toward each other" (Loewe et al. 2021, 2). Social contracts are partly informal institutions that vary in their deliverables and scope along temporal dimensions. Many distinguish between "interest-based" and "rights-based" social contracts, which vary in the way development policies are implemented (Hickey 2011), or between federal and sub-national-level social contracts for non-resident citizens (Burmeister-Rudolph 2023).

Following a prolonged period of decolonization, newly independent states in the Global South crafted ambitious constitutional agendas that sought to expand social and political rights among a newly defined citizenry. This postcolonial citizenship (Sadiq 2017) required a reworking of imperial institutional practices designed for often hostile subject populations to instead develop empathetic state-sponsored welfare schemes for the poor, minorities, and the working classes—a *postcolonial* social contract. Leaders such as Jawaharlal Nehru (in India), Sukarno (in Indonesia), and Julius Nyerere (in Tanzania) were keenly aware of the need both to fight social and economic inequality, but also to maintain post-independence authority by establishing gatekeeping functions (Cooper 2002). The postcolonial state thus embraced protectionist industrialization, welfare distribution, and rising public employment (Loewe et al. 2021), while also channeling resources in order to bargain with societal actors.

Political support for ruling governments soon became predicated on neo-patrimonial practices. In the Middle East, several "ruling bargains" were struck across post-independence states, namely, "corporatist arrangements in the national political economy whereby the state brings into its orbit, and politically pacifies, strategic social actors such as the civil service, entrepreneurs, and the broader middle classes" (Kamrava 2014, 19). Harik and Sullivan use the term "patron state," in which the state becomes "a business entrepreneur and a provider at one and the same time" (1992, 2). In sub-Saharan Africa, such social contracts stretch back to colonial times, and can be identified both in communities' relations to the postcolonial state as well as in sub-state relations between families and local authorities (Mamdani 1996).[2] In Malaysia, quota systems in education and state employment for ethnic Malays and *bhumiputeras* (sons of the soil) were hugely popular. In India, direct welfare provisions including grains and kerosene were distributed to the poorest of the poor through rations, while other groups demanded status-based protections. Historically disadvantaged or "backward" groups and castes were granted preferential policies through protected inclusion in federal and state employment and at government educational institutions. These social contracts should be "conceptualized not solely in terms of an institutionalized bargain among collective actors but also as encompassing a set of norms or shared expectations" (Heydemann 2007, 25), namely, a robust patron state providing resources as part of transactional ruling bargains underwritten by state wealth.

Over time, the postcolonial social contract became economically unviable. The Egyptian case highlights the clear rise, and fall, of such post-independence ruling bargains. Once British colonial forces had departed, President Gamal Abdel Nasser molded a postcolonial Egyptian state from the mid-1950s onwards, which guaranteed certain benefits in exchange for political acquiescence (Waterbury 1983). Education and healthcare became free for all citizens, while food, housing, energy, and transportation costs were subsi-

[2]In Sadiq and Tsourapas (2021, 2023), we engage in a detailed analysis of the continuities between colonial-era practices and postcolonial state-building across the Global South.

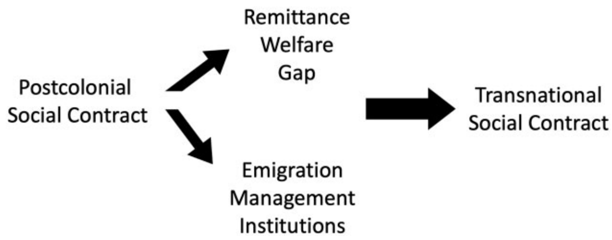

Figure 1. From a postcolonial to a transnational social contract.

dized. The popular *siyasat al-ta'yın* (Graduate Appointment Policy) stipulated that the state would provide public sector employment for any Egyptian with a university degree. However, Egyptian political parties were banned, while civil society actors and trade unions came under the control of the state—as in other parts of the Arab world. In fact, similar *étatiste* policies were developed in Syria, Iraq, Algeria, and elsewhere in the Middle East (Ayubi 1995, 196–223).

By the late-1960s, the Arab postcolonial social contract had become economically unsustainable, having contributed to urbanization, the collapse of private sector enterprises, and a bloated public sector. In Egypt, the civil service grew from 325,000 employees in 1952 to 1.2 million in 1970, as graduates "eke[d] out a shabby and insecure but desperately respectable existence" (Kerr 1965, 187). However, any attempts to revise the postcolonial social contract were understood to be reneging on the state's promise of welfare provision and, thus, to be "a potential source of political instability" (Tsourapas 2018, 51). Egypt was not unlike much of the Arab world and, in fact, most of the Global South, since any top-down reform of the postcolonial social contract risked shaking the foundations of state–society relations. In India, attempts to reform the quota system—a type of affirmative action for historically disadvantaged groups—have led to widespread political instability, with riots and violent protests becoming commonplace, as diverse ethnic and caste-based groups began competing with one another to be categorized as "backward" or "indigenous," in order to avail themselves of the benefits of the postcolonial social contract (Jefferlot and Kalaiyarasan 2020).

We argue that labor emigration alleviated the sociopolitical effects of the post-independence state's inability to sustain levels of welfare provision across the Global South. The now bankrupt postcolonial social contract was transformed into a *transnational social contract*, as citizens' access to mobility abroad made access to foreign-based welfare possible. This occurred in two ways (Figure 1). First, postcolonial states overcame any opposition to labor emigration, and developed formal and informal *emigration management institutions*, which sought to encourage and regulate citizens' emigration. Specialized ministries, agencies, and organizations encouraged and regulated the labor emigration of postcolonial citizens, with efforts to codify labor emigration into sending states' legal systems (Gamlen 2019). Second, a widening *remittance-welfare gap* developed, as inflows of remittances outpaced state-sponsored welfare provision, such as allocations for healthcare and education. Remittance income often results in reduced levels of social security and welfare expenditure at the macro-level (Doyle 2015), with remittances acting as a substitute for social welfare programs (Chaudhry 2015). The remittance-welfare gap shows that, while remittance flows increase to individual households,

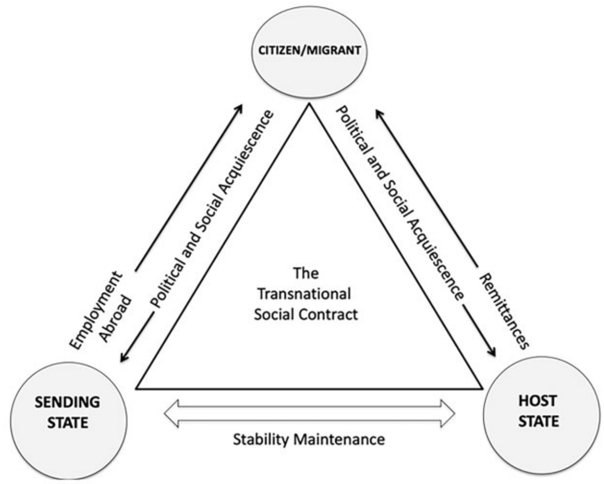

Figure 2. The transnational social contract.

thereby helping to alleviate poverty, state allocations of welfare services tend to remain stagnant.[3]

The Philippines is a commonly cited example of an emigration state where remittances act as a substitute for welfare transfers. In the face of rising unemployment and public debt in the 1970s, the Marcos administration introduced a labor export policy that developed institutions, laws, and policies aimed at the export of the country's labor resources (Tigno 2000). State- and private-led initiatives within the emigration state have led to a thriving Filipino community abroad, which numbers over 10 million overseas workers, or about 10 percent of the country's population (Malit and Al-Youha 2013). By 2008, migrant remittances accounted for roughly 12 percent of the country's gross domestic product (GDP), with the Asian Development Bank confirming that these capital inflows are spent primarily on education and housing—an observation consistent with findings in Sri Lanka (De and Ratha 2012) and several sub-Saharan African countries (Amega 2018). In fact, Yang and Choi (2007) estimate that Filipino remittances now constitute a valuable safety net; these inflows have replaced over 60 percent of household income lost due to economic shocks.

In our theorization, postcolonial states' reliance on labor emigration as a substitute for domestic social welfare via a widening remittance-welfare gap and the simultaneous development of emigration management institutions de-territorialize classic understandings of social contract theory. As domestic welfare rights are nominal, access to mobility now becomes the hallmark of a distributive welfare scheme that expands neo-patrimonial state–citizen relations transnationally. We understand the transnational social contract as a triadic nexus with distinct political relationships that emerge among three common actors: (1) sending states, (2) host states, and (3) citizens/migrants. This is shown in Figure 2, which models an asymmetrical relationship: sending and host states tend to leverage greater power, as they control citizens/migrants' access to outward and inward mobility, respectively. The ruling bargain that was struck at the moment of postcolonial independence has become transnational. Postcolonial states continue to expect political and social acquiescence, albeit in exchange

[3]We concede that there may be differences in the quality of services provided within cases, for example, between rural and urban areas. However, despite these variances, the overall trend clearly indicates that state welfare spending on health and education has remained stagnant, while remittances have increased.

for either the permission to emigrate and pursue employment abroad (for sending states) or to immigrate and be able to send remittances home (for host states). Despite reneging on the post-independence social contract due to dwindling social welfare provision at home, the postcolonial state ensures its durability by leveraging access to international mobility through acquiescence. In other words, the transnational social contract forces an employment versus rights dilemma on the postcolonial citizen/migrant.

A key consequence of the emergence of the transnational social contract is the *transnationalization of coercion*, as access to the labor market is leveraged by the sending and host states in exchange for social and political acquiescence. Critical work on the postcolonial social contract has traditionally hinted at its capacity for domination and repression. Chatterjee adopted a Foucauldian perspective to argue that the postcolonial social contract in India functioned as a tool of governing populations, which must "be both looked after and controlled by various governmental agencies" (Chatterjee 2004, 38).[4] We argue that the postcolonial social contract channels an internal demand for welfare provision toward demands for access to labor mobility, which enables states to leverage de jure and de facto forms of coercion over citizens/migrants. In countries of origin, this occurs by way of emigration management institutions. Gatekeeping institutions govern labor mobility by disciplining potential migrants and labor recruitment agencies through protocols and procedures, which have the added benefit of consolidating state power. As a result, states skew the balance in favor of the economic benefits of labor emigration at the expense of their citizens' social and political rights.[5]

Such transnational forms of coercion are compounded by the fact that host states leverage significant veto power over employment security. In the absence of social and political rights, states can unilaterally cancel or revoke labor agreements, visas, or contracts at a moment's notice or engage in mass deportations of groups of workers within their borders. These states also leverage dependence on employment, in order to engage in a range of often flagrant human abuse violations, to the extent that sending states often impose bans on workers to certain countries of destination (Malit and Tsourapas 2021). However, risks to personal safety or travel bans have little effect on South–South migration flows, which attests to the fact that the citizen/migrant appears ready to waive fundamental rights in favor of short-term economic gains (Avato et al. 2010, 463). Migration diplomacy work demonstrates how sending and host states are implicated in the coercive dimension of the transnational social contract: A recent study of bilateral labor agreements across 120 states found that only 30 percent included a reference to social security (Van Panhuys, Kazi-Aoul, and Binette 2017, 7–8). Ultimately, the postcolonial citizen/migrant is being increasingly commodified by a market-based logic that prioritizes economic gains over sociopolitical protections, to the benefit of both sending and host states across the Global South.

Methodology and Case Selection

In order to understand the workings of the transnational social contract in practice, we utilize case study methodology for the purposes of theory building, relying primarily on covariation and within-case analysis. The debate on the strengths and limitations of theory-building approaches using case study work is ongoing (cf. Geddes 1990; Gerring 2017), and is even more contentious if cases are selected based on dependent variables. That said, we follow Van Evera's approach, which encourages political scientists to "fashion theories by importing existing theories from one domain and adapting them to explain phenomena in another" (Van Evera 1997, 27). As Gerring argues, "it is difficult to envision a viable case-selection strategy that takes no notice of values for the outcome of interest" (2017, 68), if the goal is to conduct exploratory research by attempting to understand the workings of a causal argument.

For the purposes of this analysis, the sphere of plausible cases includes all postcolonial states, namely, those that experienced foreign domination under colonial and/or imperial rule, and emerged as independent states following a process of decolonization in the twentieth century. These cases share a post-independence contractarian language of rights that shaped the relationship between newly founded "nation states" and their newly established "citizens," which broadly occurred in the aftermath of the Second World War. Geographically, this covers much of what we now term the Global South, with the caveat that the term arguably has broader connotations, as previously discussed.[6] Thus, we consciously exclude historical practices of transnational labor mobility under colonial and/or imperial rule, such as the export of poor, "coolie," and indentured labor in imperial Britain or elsewhere. At heart, the colonial- and imperial-era emigration of subjects lacked the crucial link between a free and sovereign "people" and a "government" by consent, which we identify in postcolonial states of the Global South.[7]

Our theoretical framework is marked by two scope conditions, in terms of sending and host states, respectively. First, countries of origin include postcolonial states that do not place undue restrictions on outward mobility, and generally allow or encourage labor emigration as a developmental strategy. A postcolonial citizen's ability to pursue employment abroad is a necessary condition for the emergence of the transnational social contract. While emigration is generally espoused by most postcolonial states today, this scope condition allows us to exclude the Democratic People's Republic of Korea, as well as historical cases in which emigration was heavily restricted; for instance, this excludes pre-2013 Cuba or mid-century Egypt, where "exit permits" or other policies limited citizens' emigration (for a broader discussion, see Tsourapas 2021a, 3–12). Second, our framework excludes host states that offer legal pathways to political membership for immigrant workers, since access to citizenship undermines the political leverage that postcolonial countries of origin hold over their citizens abroad. The coercive dimension of the transnational social contract emerges only when formal membership and naturalization laws for migrant workers are non-existent, weakly institutionalized, or formally denied. Thus, while we exclude North American

[4]Such a critique echoes foundational feminist work on the social contract, which views modern society as a form of institutional domination (Pateman 1989).

[5]The transnational social contract focuses on the domestic political mechanisms by which access to migration is leveraged by the state, which distinguishes our work from scholarship on the portability of rights and social protections across borders. The latter takes individual migrants as the unit of analysis and investigates the patterns of how they "piece together" social welfare across states through various non-governmental organizations or other sources of aid (see, e.g., Levitt et al. 2023).

[6]The Global South constitutes "an idea, and set of practices, attitudes and relations [that disavow] institutional and cultural practices associated with colonialism and imperialism" (Grovogui 2011, 177).

[7]While Latin American colonial independence and Irish and Italian emigration to the Americas in the mid-1800s are interesting historical cases, they do not conform to our scope conditions or our sphere of cases.

and European host states, our analysis holds for the majority of South–South migration flows. For instance, it is possible to extend our analysis to Cambodian or Vietnamese labor migration to Singapore or Japan, much of intra-Arab labor migration, as well as Burkinabè or Malian migrants to Côte d'Ivoire, given the relative absence of legal pathways to citizenship in East Asia, the GCC states, or West Africa, respectively.[8]

Our study focuses on two postcolonial states, Nepal and Jordan, and treats them as least-likely cases, an approach that "can strengthen support for theories that fit even in cases where they should be weak" (George and Bennett 2005, 121; Rohlfing 2012, 62). In South Asia, Nepal featured strong post-colonial nationalism that initially limited its prospects for large-scale labor emigration. The continuation of monarchical rule following the British withdrawal from the subcontinent led to dynastic politics that guarded against external influence from democratic India. There was little expectation that cross-regional labor emigration flows would develop, since *within-region* migration was the historic norm (Sadiq 2009, Sadiq 2022). In the Middle East, Jordan emerged out of colonial rule with a strong government that sought to develop strong economic and political linkages with other Arab states. Like Nepal, Jordan espoused a policy of state-led economic protectionism that was wary of external influence, while the makeup of its domestic labor force and the structure of its political economy did not encourage labor emigration. In fact, for much of its history, Jordan has been considered a transit and host state of forced and labor migration, rather than a country of origin (Tsourapas 2021a).

With an interregional focus comparing South Asia and the Middle East, our cases demonstrate that while labor emigration before independence was present, there was little likelihood that the export of labor would be an immediate and apparent policy solution to the countries' macroeconomic problems. Yet, despite these expectations, Nepal and Jordan now have some of the highest remittance rates as a percentage of GDP, generating an interesting puzzle (Figure 3). What accounts for this shift from minimal to maximal labor emigration within a relatively brief timeframe?[9] For example, after decolonization, citizenship norms precluded the GCC states from becoming a major migrant receiving region. With state formation occurring in the mid-1970s, there was limited expectation that the GCC would become a major importer of labor, since narrow tribe-based definitions of citizenship were institutionalized alongside formal barriers to membership (Lori 2019). However, by 2015, nearly 80 percent of migration to the GCC was sourced from outside the Middle East and North Africa region, largely originating in other Global South countries (IOM 2016).

Importantly, the case study comparison identifies significant variation in outcomes, particularly regarding the nature of the transnational social contract. The coercive nature of the Jordanian migration state differs significantly from that of the Nepalese migration state, as we shall detail below. Both states' emigration institutions developed alongside policies that saw labor migration as key to national development; for Nepal, this began in the mid-1980s, while in Jordan it began a decade earlier. Nepal is primarily a sending state, with international labor migrants heading to the GCC and to Malaysia. Jordan is a sending and receiving state; it sends migrants to the GCC, while it imports a small percentage of labor migrants (mainly female domestic workers). Jordan is a clear example of a transnational social contract segmented by class; working- and middle-class Jordanians seek opportunities abroad, while upper-class Jordanians import domestic help from elsewhere in the Global South.

Regarding our data collection strategy, we note that fieldwork across postcolonial settings, and the broader Global South, poses specific issues with regard to methods (Sadiq 2005; Kapiszewski et al. 2015). This becomes more pressing in the study of cross-border mobility, which is a securitized issue for several non-Western regimes, particularly authoritarian ones (Tsourapas 2021b). As a result, the availability of quantitative data at the researcher's disposal is limited or, frequently, unreliable. The United Nations Statistics Branch has recognized that there are "huge gaps at country level," which need to be addressed in terms of migration data worldwide, particularly remittances (United Nations News 2019). We have opted to work with official estimates of remittances for the purposes of simplicity, but we share the widely held understanding that total remittances—including informal transfers of money to countries of origin—are much higher. Thus, we expect that our theoretical framework will continue to apply (and, in fact, be strengthened) if we gain access to total remittance data.

The Transnational Social Contract in South Asia and the Middle East

In this section, we apply our theoretical framework to the two cases under study in South Asia and the Middle East, namely, Nepal and Jordan. After identifying the emergence of a remittance-welfare gap in each case,[10] we show how migrant remittances alleviate extreme forms of poverty by shoring up substandard state-led social welfare, albeit without providing robust social and economic security. This is evidenced by the fact that, over time, the volume of labor emigration and remittances increases even as state welfare stagnates, while both states further institutionalize labor emigration through government regulations that seek to directly facilitate, and profit from, overseas employment. By acting in this way, Nepal and Jordan effectively transnationalize their postcolonial social contracts. Labor migration and remittances become a substitute for weak domestic welfare provision, but without endangering the neo-patrimonial foundations of state–citizen relations at the moment of independence. Economic rights continue to be leveraged at the expense of social and political rights, as postcolonial citizens/migrants become subject to varying forms of transnational coercion.

[8]Note that, in contrast to the existence of an organized migration industry that thrives across the GCC, migrants in many of these cases do not participate in contract labor. We thank an anonymous reviewer for allowing us to clarify this note.

[9]We thank the anonymous reviewer for helping us to frame this conceptual puzzle.

[10]Across our two cases, we plot four relevant indicators as a percentage of GDP that denote a remittance-welfare gap. The first metric shows the personal remittances received in each country as a percentage of national GDP. Remittance data are a critical indicator of labor emigration abroad. They directly link individual foreign employment to household income assistance in the sending state. The second metric shows current health expenditure for each case, which includes healthcare goods and services consumed each year. The third metric represents official domestic health expenditure, as in public expenditures on health from domestic sources as a percentage of GDP. The fourth indicator shows education spending at the local, regional, and central government level, and combines funding for primary, secondary, and tertiary education. In all cases, we identify a wide gap between personal remittances and indicators of domestic welfare expenditure.

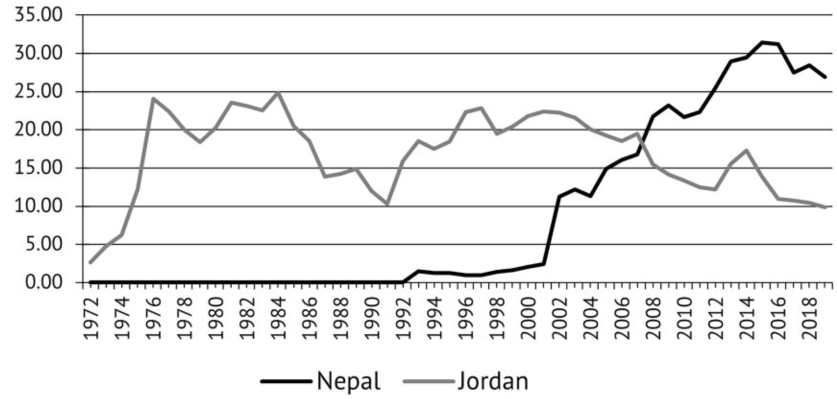

Figure 3. Personal remittances received as percent of GDP in Nepal and Jordan (1972–2019).
Source: World Bank Development Indicators (WDI).

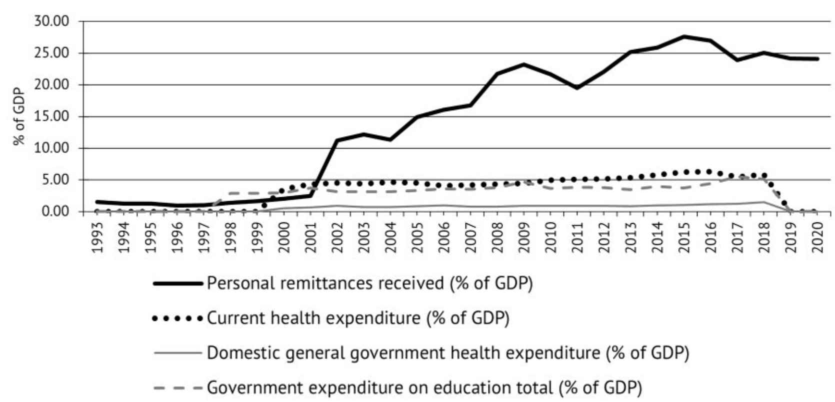

Figure 4. The "remittance-welfare gap" in Nepal.
Source: World Bank Development Indicators (WDI).

The Remittance-Welfare Gap and Emigration Management Institutions

Until the 1990s, Nepalese citizens' mobility was limited to South Asia, with much seasonal migration occurring across the Terai valleys to neighboring India. The restructuring of the agrarian sector in the mid-1990s, due to political upheavals regarding the role of the monarchy, occurred alongside a global demand for temporary and low-skilled labor (Adhikari 2020). A lack of modernized farming methods and difficulties with irrigation and transport meant that Nepal had limited capacity to support the local population with adequate food production levels (IOM, 2019). Migrants from rural areas increasingly sought overseas employment to supplement declining agricultural income, and unregulated manpower agencies were quick to supply overseas firms with cheap, unskilled workers. Consequently, we observe a very sharp increase in Nepali remittances by 2001 (Figure 4), while remittances continued to rise from 10 percent of GDP in 2002 to roughly 23 percent in 2009. In 2015, they peaked to comprise almost 28 percent of the Nepali economy, and they have remained at around 25 percent of GDP ever since. This occurred even as expenditures on health and education remained stagnant over the same 15-year period, hovering at around 5 percent or below (Figure 4).

Such heavy reliance on remittances follows labor emigration patterns, where we see a significant rise in overall Nepali migrant stock to GCC states (Figure 5). Prior to the COVID-19 pandemic, there were nearly 2.2 million Nepalis working overseas globally. Since 2008–9, the Department of Foreign Employment (DoFE) has issued over 4 million labor approvals to Nepali workers (International Labour Organization 2021). In 2018–9, the destination states Qatar, the United Arab Emirates (UAE), Saudi Arabia, Kuwait, and Malaysia accounted for 88 percent of all overseas Nepali workers (Government of Nepal 2020). Within the GCC, Saudi Arabia and Qatar have seen the highest increase in Nepali labor migrants, particularly after 2005 (Figure 5).

Despite the benefits of strong remittance inflows, Nepali state welfare services often fail to reach those most in need of assistance. A survey of over 7,000 respondents revealed that only two out of ten Nepalis received social security allowances or were provided with state documents such as birth certificates, marriage certificates, or migration certificates, which are critical for accessing welfare services (Giri, Pyakurel, and Pandey 2020, 112). One-third of respondents reported that it was difficult to receive employment-related services from their local government (Giri, Pyakurel, and Pandey 2020, 113). The lack of state welfare is compounded by a vast informal sector in Nepal, where most of the employment is not tied to any formal social service. Recent International Labour Organization data suggest that 80 percent or

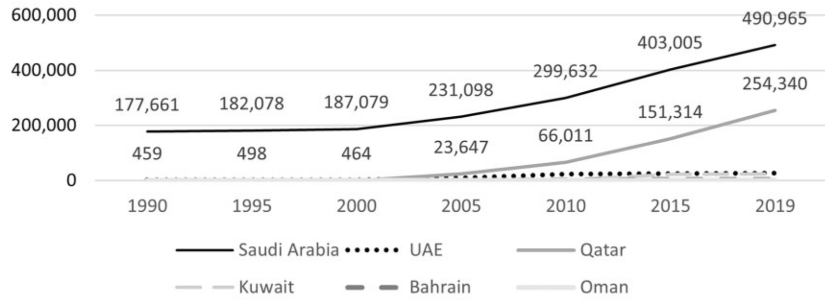

Figure 5. Nepali migrant stock in GCC, 1990–2019.
Source: World Bank Development Indicators (WDI).

roughly 5.7 million Nepalis work in informal jobs, with no state-funded safety net (International Labour Organization 2020).

The situation should be marginally better for families who receive remittances. However, according to the latest Nepal Living Standards Survey (2010–1), nearly 79 percent of household remittances were allocated to meeting basic needs and daily consumption (Government of Nepal 2011, 79). These remittances were not put toward long-term financial security, with only 0.6 percent being allocated to household savings (Government of Nepal 2011, 86). Alarmingly, 82 percent of households in the survey reported "just adequate" levels of food consumption, with only 2 percent reporting "more than adequate" levels (Government of Nepal 2011, 98). In housing, too, 77 percent of respondents reported their accommodation to be "just adequate" (Government of Nepal 2011, 98).[11] The number of households receiving remittances has increased from 23 percent in 1995–6 to about 56 percent in 2010–1. During the same period, the percentage of migrant remittances as a component of households' income has also increased, to about 31 percent (from ∼27 percent beforehand) (Government of Nepal 2011, 3). This suggests that remittances are being used to supplement otherwise weak state welfare services.

Labor emigration is supporting individual household incomes in Nepal. However, at an institutional level, the process of managing large labor flows began quite late. The first legislation to regulate foreign employment was enacted in 1985 with the Foreign Employment Act. The act established state control over the dispersal of labor recruitment licenses and implemented penalties for non-compliance. It sought to reign in and profit from a largely unregulated industry. The shift from regulation to facilitation of labor emigration occurred in the late 1990s with a series of programs to promote labor migration as a developmental strategy. The Ninth Plan (1997–2002) followed a two-tier approach, whereby a target of 200 workers in foreign employment was set for each of the 201 electoral constituencies in the country (Adhikari 2017, 304). It also sought to provide loans to young people in groups affected by conflict and social exclusion, to pursue foreign employment in order to mitigate the influence of a growing Maoist insurgency in the countryside (Adhikari 2017, 304). Subsequent economic plans were built on a framework of facilitation: the Tenth Plan (2002–7) and the Three-Year Interim Plan (2007–10) went so far as to set quantitative targets for foreign employment—550,000 and 750,000 youths, respectively (Government of Nepal 2016, 48). In the Global South, the complex processes that lead to the internationalization of the labor market are intricately linked to the institutional development of states, from initially monitoring labor flows, to direct facilitation and mediation of foreign employment.

Like Nepal, the Jordanian state allowed and facilitated citizens' labor emigration from the late 1950s onwards (Shami 1999, 140–51). It is widely understood, by researchers and policymakers alike, that the Jordanian economy is dependent on migration and the continuous inflow of remittances (Brand 2006, 176–215). Emigration rates have gradually increased over time, with the oil-producing GCC states serving as the main countries of destination (Figure 6). Soon after it achieved independence in 1946 (initially as the Hashemite Kingdom of Transjordan until 1949), Jordan realized that "without extensive labour emigration, the Jordanian economy would not be able to deal with the massive influx of Palestinian refugees," and that "remittances would be the most available option for hard currency" (Winckler 2009, 167). Labor emigration intensified after the 1973 oil crisis. Chatelard's (2010) research highlights that "the Jordanian government did not attempt to attach disincentives to the out-migration of well-educated professionals, which was not regarded as a brain drain. On the contrary, in the 1970s, the government set as a national development objective the education of people for export, thus expanding and systematizing training efforts."

The Jordanian state has been characterized as a key rentier state (Brynen 1992), albeit one that benefits from the regional oil economy through workers' remittances from oil-producing states, petrodollar aid, and only some modest oil production. Not surprisingly, therefore, the Jordanian state facilitated emigration by way of permissive outmigration policies: "Jordan has been described as the world's only oil-economy with no oil, i.e., a state highly dependent upon foreign aid from oil-producing states and upon remittances from its nationals working in these countries" (Chatelard 2010). As De Bel-Air (2016) argues, "remittances received by the migrants' families played a determinant role in the development of a consumption-based, non-productive economy and mode of wealth accumulation," further strengthening the link between remittances and the decline of the domestic social contract. In fact, from 1962 onwards, the Jordanian rentier state would increasingly highlight the role of emigration in its domestic public policy strategies. The state abandoned earlier policies of maintaining detailed data on emigration flows, opting instead for a liberalized, laissez-faire approach due to the widening remittance-welfare gap that exists in the country (Figure 7).

[11] There is regional variation in this response.

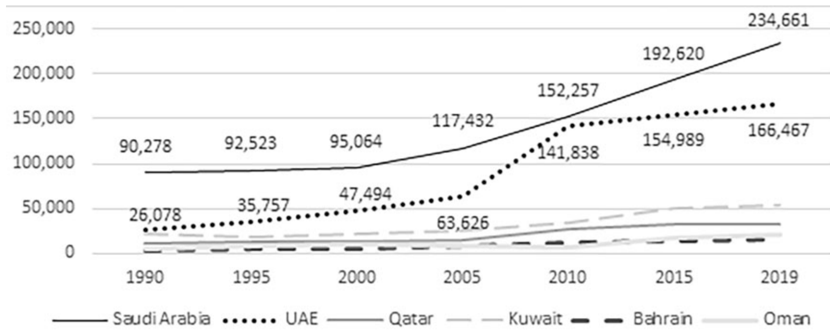

Figure 6. Jordanian migrant stock in GCC, 1990–2019. Source: World Bank Development Indicators (WDI).

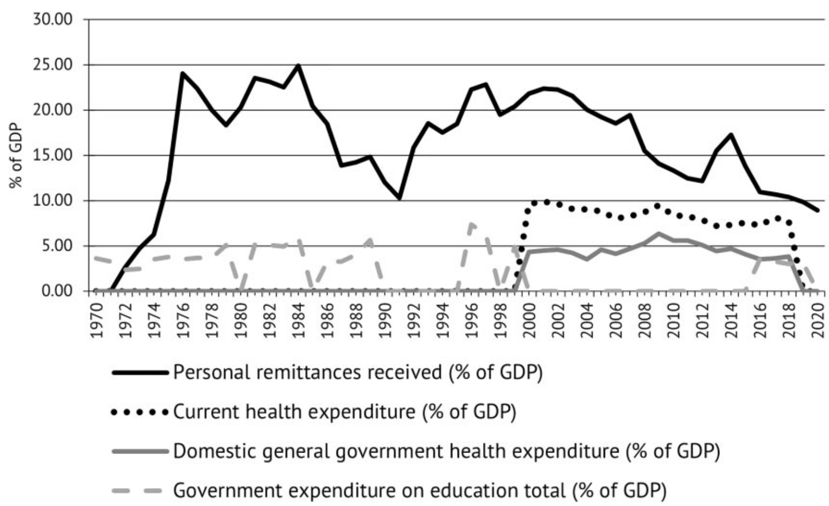

Figure 7. The “remittance-welfare gap" in Jordan.
Source: World Bank Development Indicators (WDI).

The Jordanian social contract has traditionally been found to be lacking, with social services being particularly weak. Only one in three adults is employed in the paid labor market, with 15.7 percent of the population living in poverty and 58 percent classified as working poor (Kawar, Nimeh, and Kool 2022).[12] Not surprisingly, the Jordanian remittance-welfare gap remains strong (Figure 7). In 2018, the Jordanian Expatriates in the Gulf Survey identified that Jordanians send remittances as a means of saving (64.6 percent), and in order to fulfill the needs of their families back home (34.1 percent). In terms of their reasons for sending remittances, 78.1 percent cite a “moral obligation” to do so, while 34.3 percent identify “constant demands from my family” to do this (Jordan Strategy Forum 2018). Most importantly, the top two reasons for migration were to “improve standard of living” (68.5 percent) and “insufficient income” (51.38 percent) (Jordan Strategy Forum 2018). The 2008 Department of Statistics’ Household Income and Expenditure Survey identified how remittances and transfers accounted for 31.3 percent of those Jordanians living below the poverty line. However, remittances are important across all of Jordan’s socioeconomic strata, constituting over 20 percent of the income of Jordan’s lower-middle and middle classes.[13]

Much earlier than in Nepal, a number of emigration management institutions evolved, in order to encourage and regulate Jordanian labor emigration. In line with our theoretical expectations, a separate Ministry of Labor was established in 1976, which engaged in bilateral negotiations across countries of destination, signing bilateral labor agreements with Pakistan and Libya in 1978. The Ministry of Labor also dispatched labor attachés to several key embassies abroad, including Kuwait and the UAE, where they were tasked with catering to the interests and needs of nationals working in these countries. A Jordanian–Kuwait accord had already been signed in 1958, while Jordan also agreed on a proclamation for the unencumbered circulation of Arab workers with Egypt and Syria in 1967. A few softer policies were also put in place, as part of the positioning of Jordan as a migration state. For instance, the government organized multiple conferences that sought to attract Jordanian expatriates, on an annual basis, in order to discuss how to strengthen links with the country’s citizens abroad (Brand 2006).

At the same time, specific changes took place at the institutional level: A new section that sought to cater to the affairs of Jordanian expatriates was initiated in the Ministry of Foreign Affairs in 1981. Gradually, the Jordanian government directed “the revenue extracted from remittances to

[12]This number is a result of a rather low poverty threshold.

[13]A full description of these results is available from the Economic Research Forum (2008). From the mid-1970s onwards, remittances typically account for 15 percent–20 percent of Jordan’s gross national product; see discussion in Brand (2006, 180).

improve the balance of payment, invest in infrastructure development, and create jobs in the public sector" (Chatelard 2010). Unsurprisingly, a new Expatriates Directorate was introduced in the Ministry of Labor and Social Development in 1987, building on the proposals in the country's 1981 Five-Year Plan, which sought to secure a constant source of financial revenue for the state from its expatriates. At the same time, Brand's (2010) study highlights how labor emigration gradually became framed as natural in the Jordanian school curriculum, arguably in an attempt to normalize this state of affairs across the whole of society. Not surprisingly, the state's chronic balance of payments deficit has made it reliant on remittances, which tend to account for 15–20 percent of the national income (Rivlin 2016). By 2021, the Jordanian Minister of Finance would openly acknowledge the country's dependence on remittances (Alterman 2021).

The Transnational Social Contract and Coercion

While the exploitation and abuse of migrant workers in labor *receiving states* is well-established,[14] in this section, we show the less well-documented forms of *sending state* coercion. The role of countries of origin in migrant abuse remains elusive because their culpability is difficult to document. However, sending state coercion is a critical aspect of the transnational social contract, since access to mobility is leveraged to consolidate sending state power. Such coercion takes two forms—de jure and de facto coercion. De jure coercion is carried out through institutional regulations and protocols that direct prospective labor migrants to accept a trade-off between economic rights on the one hand, and social and political rights on the other. Government-to-government negotiations, bilateral labor agreements, and memorandums of understandings play a critical role in institutionalizing coercive practices in the sending state. These include refusing family unification while working abroad, routinely enabling the confiscation of identity documents such as passports, and introducing targeted restrictions on emigration based on gender, age, and educational qualifications. Such coercion can occur as an unintended consequence of labor regulations that skew national policy in favor of the economic benefits of emigration.

This contrasts with de facto forms of coercion, in which the terms of labor emigration are systematically manipulated without the active consent of the migrants themselves—a coercion by omission. This includes sending state practices such as the misrepresentation of work contracts, salaries, job descriptions, housing, and medical facilities. It also includes practices that systematically fail to provide critical pre-departure documentation, such as copies of receipts and contact information for relevant parties. De facto coercion can also occur through processes that restrict access to employment domestically, or even increase debt bondage, by transferring the cost of migration onto the migrant, for the benefit of recruitment agencies or subcontractors. Consequently, labor emigrants are at the mercy of the market and are commodified within the sending state.

In Nepal, we can see both de jure and de facto forms of coercive sending state practices. This coercion is structural; labor migrants pay for overseas employment before they receive any payment in return for labor. As a result, they often take out high-interest loans to cover the cost of emigration. It is not uncommon for migrants to take out loans three or four times the amount of their prospective monthly salaries, only to receive significantly smaller pay packets months after employment. For example, a migrants' watch group in Australia reported that a Nepali-based recruitment company signed contracts for work in the UAE worth A$630 (Australian dollars) monthly, for which migrants took out loans in Kathmandu worth A$4,000. The actual salary the laborers received in the UAE was far less and, unable to contact the agency or agents with whom the labor contract was signed, many fell into economic distress (Dhungana 2018). Debt bondage is the most common form of sending state coercion, since migrants incur significant costs to obtain employment, which include travel expenses and living costs along with the cost of mandatory pre-departure health examinations and training. Without accounting for exorbitant loan interest rates and the cost of living abroad, it can often take ~7 months to pay off a migration debt before a migrant earns any money to remit home (International Labour Organization 2017, 12). Given that most labor contracts are for 2 years, migrants are often trapped into renewing coercive contracts in order to financially benefit from the employment.

Labor recruitment fees increase migrant vulnerability by forcing migrants to accept poor working conditions and deceptions regarding wages, housing, and health guarantees. The situation can become so dire that official Nepali employment statistics regularly record the deaths of migrant workers overseas. A total of 4,320 Nepali migrants died while working overseas between 2008 and 2015, and of these, 451 were officially recorded as deaths by suicide, a figure largely under-reported (Government of Nepal 2016, 29). Alarmingly, 783 causes of death remained unidentified (Government of Nepal 2016, 29). The classification of migrant deaths is of consequence because in countries such as Saudi Arabia, the official cause of death is linked to the monetary compensation that must be paid to the family of the deceased. It is often speculated that wrong classifications are routinely applied to migrant deaths, in order to reduce the economic burden on the employer (International Labour Organization 2016). Nepali regulatory agencies (such as the Foreign Employment Promotion Board) are often accused of prioritizing the dispersal of compensation funds over investigating the actual root causes of deaths.

In 2015, a "free-visa, free ticket" government policy scheme was introduced to shift the cost of migration from migrants to employers and recruiting agencies, by capping the permitted recruitment agency fee to 10,000 Nepali rupees (US$100). In response, the recruitment industry, led by the Nepal Association of Foreign Employment Agencies (NAFEA), organized a series of protests that resulted in a delay in the issuing of around 600 labor permits per day (Sijapati, Ayub, and Kharel 2017, 173). Negotiations between the government and NAFEA revealed overlapping economic interests between the state and the labor recruiting agencies. As a former DoFE director, Kumar Dahal conceded, the policy "isn't being implemented and we don't have the capacity to do so" (Khadka 2021). Accusations of collusion between recruitment agencies and state bureaucrats abound, as Dahal controversially noted: "we first need to accept that most problems faced by migrants begin in Nepal and sometimes, even problems abroad are byproducts of activities here" (Khadka 2021).

Internal government reports in Nepal were aware of the collusion between recruitment agencies and state officials. A 2017 report by the International Relations and Labor Committee of the Legislature Parliament found consistent irregularities in the way diplomatic staff in the Gulf "bypass, or even flout, numerous sets of rules" (Mishra 2017). Despite a

[14] Most recent coverage surrounds migrant abuse in the lead-up to the 2022 FIFA World Cup (see Human Rights Watch 2020).

ban on housemaids working in the GCC at the time, the report noted that 60 percent of female housemaids took off for the Gulf from Kathmandu Airport, leaving on tourist visas (Mishra 2017). The fact that airport officials did not flag any concerns raised further suspicion. Prabhu Shah, who headed the report, noted, "it is not possible for so many women to pass through the airport without the knowledge of immigration officials" (Sharma 2017). While human rights organizations have long documented the abuse of migrant laborers at destination sites, coercion in the sending state also contributes to labor migrant vulnerability. When political and social rights are limited in both the sending and the host states, workers are left with little recourse to challenge contractual abuses in wages and employment or other rights violations. Across the Global South, the transnational social contract reveals how sending states compromise the social and political rights of labor emigrants.

The nature of intra-Arab migration processes suggests that the case of Jordanians' migration to the GCC states is structured differently. While Jordanian citizens do not commonly enter situations of debt bondage to work abroad, and tend not to face similar types of abuse as Nepalese workers, this does not imply that de jure and de facto coercion are not also present within the Jordanian sending state. In fact, the Jordanian state has focused on targeting ethnic minorities—Jordanians of Palestinian descent and Palestinians who sought shelter in the Kingdom in successive waves in 1948 and 1967.[15] Briefly, this relates to the Jordanian authorities' long-standing concerns about the status of Palestinian refugees within the country's territory and the uncertainty surrounding the emergence of a Palestinian state (Abu-Odeh 1999). From the early 1970s onwards, the Jordanian state engaged in de facto forms of coercion against Palestinians within the Kingdom, who were systematically purged from higher-level posts in the public sector—one of the main avenues for employment in Jordan. This purge included the Jordanian military, with Palestinian military officers being habitually dismissed. This policy shift, occurring without Palestinian consent, strategically set conditions that pushed them to emigrate and take up private sector employment across the GCC states. The Jordanian state's shift away from continuing to recruit Palestinians rendered labor emigration a more appealing option—or, for many within the Kingdom, the only option. While accurate migrant flow statistics are not readily available, there is a documented rise in the annual net labor outflow and a dramatic rise in remittances from the early 1970s onwards (Brand 2006, 181).

At the same time, similar to what had happened in Nepal, de jure coercion in Jordan also occurred. This relied on government-to-government negotiations (frequently informal) and a range of human rights violations, as Jordanians of Palestinian descent were encouraged to pursue economic rights abroad from the 1950s onwards in exchange for their social and political rights in Jordan. While all Palestinian refugees were initially granted full and unconditional Jordanian citizenship, concerns soon emerged about the future of the Hashemite monarchy within a predominantly Palestinian country (Plascov 1981). At the same time, the influx of refugees had led to skyrocketing unemployment. The state's encouragement of Palestinians to emigrate became a convenient tool for the ruling regime to coerce this population into submission. Emigration thus became embroiled in the welfare strategies of the state and the goal of political acquiescence, as "emigration compensated for some citizens" (mostly Palestinian refugees and displaced persons) being excluded from the capital redistribution process, hence removing potential dissent from the country (De Bel-Air 2016). Although numbers remain unreliable, it is widely accepted that Jordanians of Palestinian descent sought economic opportunities outside Jordan *en masse*, in particular following the 1973 "oil boom" (Reiter 2004). In essence, the weakened postcolonial social contract in Jordan encouraged these waves of emigration, which, at the same time, resulted in the weakening of the Palestinian Jordanian communities' social and political rights within Jordan.

At the same time, and in addition to this, access to emigration required formal documentation from the Jordanian authorities, which laid the grounds for several abuses. Jordanian institutions abroad were regarded with distrust by Palestinian Jordanians. As Brand argues,

> for many expatriates, the relationship to Jordan was one of an imposed nationality, while political loyalty belonged to one of the factions of the PLO. One might well own an apartment or a home in Jordan, but this was because to do so in Palestine was much more difficult or impossible. Jordanian embassies were places where passports had to be renewed, but which were otherwise to be avoided. The state was increasingly associated with a Transjordanian-staffed internal intelligence service that impounded passports, harassed, and at times tortured suspected political activists. (Brand 2006, 181–2)

As in the case of Nepal, therefore, violations of freedom associated with pursuit of economic employment abroad were not uncommon. It is worth noting that the Jordanian state relied on close security cooperation with oil-producing countries of destination, notably Kuwait and Saudi Arabia, in order to extend sending state coercive practices abroad. Jordan engaged with the Gulf states to combat political activism, while simultaneously benefiting from labor emigration (Brand 2013). Not unlike Nepal, human rights organizations have repeatedly highlighted the plight of Palestinian workers across the GCC states, where they have been subjected to a range of repressive policies without any objection from the Jordanian state. Even though labor mobility has contributed to numerous economic opportunities for this group, the economic rights awarded were accompanied by a conscious reduction in their political and social rights. Jordan, in this instance, was complicit in this trade-off, given that it benefited the political economy of the Kingdom and ensured the absence of unrest against the Hashemite monarchy.

Finally, migrant vulnerability was heightened as a result of the Kingdom's ambivalence toward Palestinian Jordanians' rights. There is an ongoing latent threat that Jordan could withdraw Palestinian Jordanians' nationality and offer "temporary passports" to members of this community (Frost 2021). This would jeopardize employment within the Jordanian public sector, effectively limiting the political and social rights of this community and encouraging further emigration. This long-documented struggle between Jordanians of Palestinian descent and the state has been a key component of Jordanian labor emigration patterns. It further demonstrates how the transnational social contract serves to compromise labor emigrants' rights within both sending and host states.

[15] The complex history of Palestinians in Jordan and their legal status are beyond the focus of this article; on this subject, see Frost's (2021) comprehensive account of the topic.

Conclusion

Classic understandings of social contract theory expect that the contractual exchange between a "state" and its "citizen" is contained within the principles of an exclusive, territorially defined citizenship. In the Global South, this post-independence social contract had specific neo-patrimonial qualities that sought to bargain away postcolonial citizens' social and political rights in exchange for access to state-owned economic resources. Yet, the inevitable collapse of the postcolonial social contract resulted in neither consistent demands for more social and political rights nor broader crises of state–society relations across the Global South. Rather, states transnationalized the postcolonial ruling bargain by employing labor migration as a substitute for poor domestic social welfare provision. This became evident from an ever-widening remittance-welfare gap and the simultaneous development of emigration management institutions that sought to facilitate citizens' overseas employment. Our analysis of Nepalese and Jordanian policies pushes forward existing work on postcolonial migration states (Sadiq and Tsourapas 2021, 2023), and demonstrates that neo-patrimonialism persists, albeit in a transnational form, due to the de-territorialization of the postcolonial social contract. The postcolonial migration state continues to offer material rewards to citizens/migrants who "consent to be governed" by sacrificing their social and political rights—at home and abroad.

We argue that a *migration from below* approach can recenter the international politics of cross-border mobility and address the gap in existing theorization of South–South migration. As an emerging research agenda, this could call into question several scholarly expectations. For instance, Weiner famously argued that "a fundamental premise behind both the Western European and Gulf policies of admitting guest workers was that labor would be regarded as a commodity" (1995, 80). Yet, counter-intuitively, our work suggests that countries of origin also play a considerable role in the global circulation of migrant labor, and stand to benefit from processes of commodification. Similarly, the transnational social contract blurs the distinction between citizens' "exit" and "voice" (Hirschman 1970), another influential trope in the study of the international politics of migration. One's ability to exercise "voice" abroad is necessarily constrained, given the trade-offs that the migrant/citizen must consent to in order to pursue employment abroad.

That said, our theorization of the transnational social contract does not suggest the absence of migrant agency, or the silencing of diasporic activism. Rather, we expect that struggles for social and political rights across countries of destination are always mediated, given families' dependence on remittances back home and precarious economic conditions abroad. Similarly, we are not arguing that the de-territorialization of the postcolonial social contract should be a panacea against sociopolitical unrest across the postcolonial world. Much as they did in the early years of post-independence, states in the Global South will continue to rely on a plethora of repressive and non-repressive strategies their citizens must endure, of which the transnational social contract forms a single element. Finally, despite the focus of our analysis on the state, this does not suggest that other actors are absent. While the transnational social contract, at its core, defines a novel relationship between the postcolonial state and the citizen/migrant, this relationship may be mediated, brokered, resisted, or strengthened by private companies, international or non-governmental organizations, norms, and other mediating actors that may strengthen, or undermine, the centrality of the state.

In terms of going forward, our theorization of the transnational social contract may be further nuanced by unpacking many of the complexities of the triadic nexus proposed here. At the same time, research is necessary to understand how states' reneging on the transnational social contract, most recently because of multiple travel lockdowns and travel bans during the COVID-19 pandemic, affect the politics of cross-border mobility and state–society relations in the Global South. Further comparative work is also needed in order to examine the evolving relationship between the state and the citizen/migrant across different regions. There is ample initial evidence of this: Truncated state welfare provision in Myanmar and the Philippines has led to state-facilitated migration to Taiwan and Hong Kong, respectively, where citizen/migrant rights habitually fall prey to both sending and host states' whims. In the Middle East, the collapse of the postcolonial social contract did not lead to crises in Egypt, Syria, or Turkey—all of which were able to liberalize their labor emigration policies, and to benefit from forms of de-territorialized neo-patrimonialism. Labor migration dynamics across the African continent point to a similarly reconfigured postcolonial "ruling bargain," as citizens/migrants from poorer postcolonial states gravitate toward countries with higher levels of development in the Maghreb or West Africa, despite frequent mass deportations and the scapegoating of foreign workers at times of crisis. Ultimately, the transnational social contract provides a novel way of examining the evolution of state-society relations across the postcolonial world and the persistence of de-territorialized neo-patrimonialism across the Global South in an era of increasing global mobility.

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